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JOURNAL

OF THE

A S S E M B L Y

OF THE

STATE OF NEW YORK:

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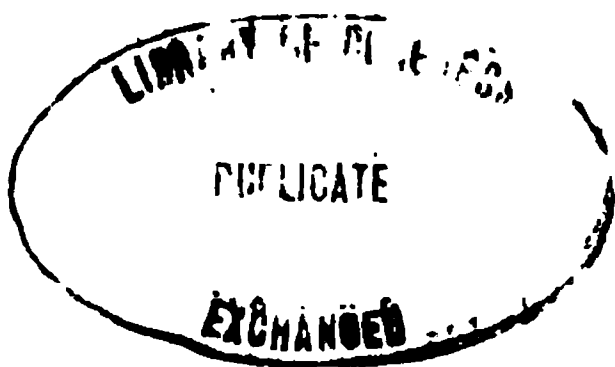
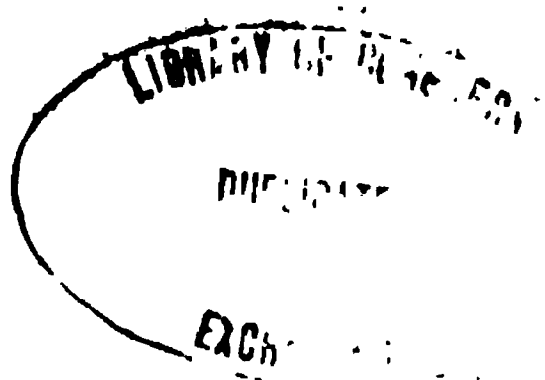
NINETY-EIGHTH SESSION.

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF ALBANY, ON THE FIFTH
DAY OF JANUARY, 1875.

VOLUME I.

ALBANY:
WEED, PARSONS & CO., PRINTERS.
1875.

*Int. C.
n. a. 7.*



JOURNAL OF THE ASSEMBLY.

STATE OF NEW YORK:

ASSEMBLY CHAMBER, IN THE CITY OF ALBANY.

TUESDAY, JANUARY 5, 1875.

Pursuant to the sixth section of the tenth article of the Constitution of this State, the gentlemen whose names are given in the following list (except those marked with an asterisk) appeared in the Assembly chamber. The said list contains the names of the representatives elected to the Assembly in the several districts, for the current year, as certified by the Secretary of State, viz.:

District.	Name.	County.
1....	Peter Slingerland	Albany.
2....	Leopold C. G. Kshinka	Albany.
3....	Francis W. Vosburgh.....	Albany.
4....	Waters W. Braman.....	Albany.
	Orrin T. Stacy.....	Allegany.
	George Sherwood.....	Broome.
1....	Commodore P. Vedder.....	Cattaraugus.
2....	Samuel Scudder.....	Cattaraugus.
1....	Charles S. Beardsley, Jr	Cayuga.
2....	Erastus H. Hussey	Cayuga.
1....	Otis E. Hinckley.....	Chautauqua.
2....	Obed Edson	Chautauqua.
	Jeremiah McGuire	Chemung.
	Daniel M. Holmes.....	Chenango.
	Shepard P. Bowen.....	Clinton.
1....	Henry Lawrence	Columbia.
2....	Alonzo H. Farrar	Columbia.
	Daniel E. Whitmore.....	Cortland.
1....	Warren G. Willis.....	Delaware.
2....	George G. Decker	Delaware.
1....	James Mackin	Dutchess.
2....	Benjamin S. Broas	Dutchess.
1....	Patrick Hanrahan.....	Erie.
2....	William W. Lawson.....	Erie.
3....	Edward Gallagher	Erie.
4....	Harry B. Ransom.....	Erie.
5....	William A. Johnson	Erie.
	William E. Calkins.....	Essex.
	John P. Badger.....	Franklin.

District.	Name.	County.
5....	George W. Fay	Fulton and Hamilton.
	Newton H. Green.....	Genesee.
	Benjamin F. Barkley	Greene.
	*Warner Miller	Herkimer.
1....	John F. Peck.....	Jefferson.
2....	George E. Yost	Jefferson.
1....	Daniel Bradley	Kings.
2....	John R. Kennaday	Kings.
3....	Michael Coffey.....	Kings.
4....	T. V. P. Talmage.....	Kings.
5....	John H. Burtis	Kings.
6....	Jacob Worth	Kings.
7....	.....	Kings.
8....	Bernard Silverman	Kings.
9....	John McGroarty.....	Kings.
	James A. Merwin	Lewis.
	James Faulkner, Jr	Livingston.
1....	D. Gerry Wellington	Madison.
2....	George Berry	Madison.
1....	Richard D. Cole.....	Monroe.
2....	George Taylor	Monroe.
3....	Josiah Rich	Monroe.
	Martin Schenck.....	Montgomery.
1....	Nicholas Muller.....	New York.
2....	William P. Kirk	New York.
3....	John Brogan.. ..	New York.
4....	Charles Reilly.....	New York.
5....	Warren C Bennet	New York.
6....	Timothy J. Campbell.....	New York.
7....	Frederick W. Seward	New York.
8....	George A. Stauf	New York.
9....	William H. Gedney	New York.
10....	Louis C. Wachner.....	New York.
11....	Knox McAfee.....	New York.
12....	John Keenan.....	New York.
13....	Alfred N. Beach :.....	New York.
14....	James Daly.....	New York.
15....	Thomas Costigan.....	New York.
16....	John T. McGowan	New York.
17....	Leo C. Dessar.....	New York.
18....	Thomas C. Campbell	New York.
19....	Germain Hauschel	New York.
20....	Jacob Hess.....	New York.
21....	John W. Smith	New York.
1....	Artemus W. Comstock.....	Niagara.
2....	Orville C. Bordwell.....	Niagara.
1....	Richard U. Sherman.....	Oneida.
2....	Silas T. Ives.....	Oneida.
3....	Edward Lewis	Oneida.
4....	Harrison Lillybridge	Oneida.
1....	Thomas G. Alvord.....	Onondaga.
2....	George Barrow.....	Onondaga.
3....	Charles Tremain.....	Onondaga.
1....	Stephen H. Hammond.....	Ontario.

District.	Name.	County.
2....	Cyrillo S. Lincoln	Ontario.
1....	James W. Miller	Orange.
2....	Joseph D. Friend	Orange.
	John M. Wetherbee	Orleans.
1....	Alanson S. Page	Oswego.
2....	Willard Johnson.....	Oswego.
3....	Henry J. Daggett	Oswego.
1....	William H. Ely.....	Otsego.
2....	James E. Cooke.....	Otsego.
	William H. Christopher.....	Putnam.
1....	L. Bradford Prince	Queens.
2....	James M. Oakley.....	Queens.
1....	William V. Cleary.....	Rensselaer.
2....	William F. Taylor.....	Rensselaer.
3....	Jacob M. Witbeck.....	Rensselaer.
	Stephen D. Stephens, Jr.....	Richmond.
	James C. Brown	Rockland.
1....	Seth G. Pope	St. Lawrence.
2....	A. Barton Hepburn.....	St. Lawrence.
3....	Jonah Sanford.....	St. Lawrence.
1....	George West.....	Saratoga.
2....	Nathaniel M. Houghton	Saratoga.
	Samuel T. Benedict	Schenectady.
	John M. Roscoe.....	Schoharie.
	William H. Fish	Schuyler.
	William Hogau	Seneca.
1....	Stephen D. Shattuck	Steuben.
2....	Lucius C. Pierson	Steuben.
	Nathan D. Petty	Suffolk.
	Adolphus E. Wenzel	Sullivan.
	James Bishop.....	Tioga.
	George W. Schuyler.....	Tompkins.
1....	John Fream.....	Ulster.
2....	Jacob D. Wurts.....	Ulster.
3....	Charles H. Krack	Ulster.
	Stephen Griffin, 2d.....	Warren.
1....	Alexander B. Law.....	Washington.
2....	Emerson E. Davis.....	Washington.
1....	William H. Clark.....	Wayne.
2....	Allen S. Russell	Wayne.
1....	Dennis R. Shiel	Westchester.
2....	C. M. Schieffelin	Westchester.
3....	James W. Husted.....	Westchester.
	Samuel W. Tewksbury	Wyoming.
	Hanford Struble	Yates.

The members elect were called to order at eleven o'clock A. M. by John O'Donnel, Clerk of the last Assembly.

The proceedings were opened with prayer by the Rev. Mr. Reeves.

The Hon. Diedrich Willers, Jr., Secretary of State, administered to the members present the oath of office prescribed by section 1 of article 12 of the Constitution of this State, and the said oath was thereupon subscribed by the members (except those mentioned below, as certified by the Secretary of State in words following):

STATE OF NEW YORK,
OFFICE OF THE SECRETARY OF STATE, }
ALBANY, *January 1, 1875.*

It is hereby certified that the following named members of Assembly, elected at the general election held in this State November 3, 1874, have taken and subscribed and filed in this office, prior to January 1, 1875, the oath of office as such members of Assembly, and that said oaths of office now remain on file in this office, to wit.:

District.	Name.	County.
1. . .	Peter Slingerland.....	Albany
3....	Francis W. Vosburgh	Albany
1....	Commodore P. Vedder	Cattaraugus
	Shepard P. Bowen.....	Clinton
1....	Henry Lawrence.....	Columbia
2....	Alonzo H. Farrar	Columbia
	Daniel E. Whitmore	Cortland
2....	William W. Lawson.....	Erie
3....	Edward Gallagher	Erie
4....	Harry B. Ransom.....	Erie
5....	William A. Johnson.....	Erie
	William E. Calkins	Essex
	George W. Fay	Fulton and Hamilton
	Warner Miller.....	Herkimer
	James Faulkner, Jr.....	Livingston
2....	George Berry	Madison
1....	Richard D. Cole.....	Monroe
2....	George Taylor.....	Monroe
3....	Josiah Rich	Monroe
	Martin Schenck.....	Montgomery
1....	Nicholas Muller	New York
2....	William P. Kirk	New York
3....	John C. Brogan	New York
4....	Charles Reilly.....	New York
5....	Warren C. Bennett	New York
6....	Timothy J. Campbell.....	New York
8....	George A. Stauff.....	New York
12....	John Keenan.....	New York
15....	Thomas Costigan	New York
16....	John T. McGowan	New York
17....	Leo C. Dessar	New York
1....	Artemas W. Comstock	Niagara
1....	James W. Miller.....	Orange
2....	Willard Johnson.....	Oswego
1....	William H. Ely.....	Otsego
2....	William F. Taylor.....	Rensselaer
3....	Jacob M. Witbeck	Rensselaer
	James C. Brown.....	Rockland
1....	George West	Saratoga
2....	Nathaniel M. Houghton	Saratoga
	William H. Fish.....	Schuyler
	James Bishop	Tioga
2....	Jacob D. Wurts	Ulster
3....	Charles H. Krack.....	Ulster
	Stephen Griffin, 2d	Warren

Witness my hand and official seal, at the city of Albany, the day and
[L. s.] year first above written.

DIEDRICH WILLERS, JR.,
Secretary of State.

On motion of Mr. Oakley,

Resolved, That this House do now proceed to the election of a Speaker; that the roll of members be called by the Clerk, and that each member, as his name is called, rise in his place and openly name his choice for such officer, and that, after the election of Speaker, we proceed to the election of Clerk in the same manner.

The House then proceeded to the election of Speaker.

The Clerk called the roll, whereupon each member, as his name was called, rose in his place and nominated as follows:

FOR JEREMIAH McGUIRE.

Barkley	Daly	Krack	Schieffelin
Beach	Davis	Kshinka	Schuyler
Beardsley	Dessar	Lawrence	Scudder
Benedict	Edson	Lewis	Shattuck
Bennett	Ely	Mackin	Sherman
Berry	Faulkner	McGowan	Shiel
Bradley	Fish	McGroarty	Silverman
Broas	Fream	Merwin	Smith
Brogan	Friend	J. W. Miller	Stauf
Brown	Griffin	Muller	Stephens
T. C. Campbell	Hammond	Oakley	Talmage
T. J. Campbell	Hanrahan	Page	G. Taylor
Christopher	Hauschel	Pierson	Vosburgh
Cleary	Hogan	Ransom	Waehner
Coffey	Holmes	Reilly	Wenzel
Cole	W. Johnson	Rich	Witbeck
Cooke	Kennaday	Roscoe	Wurts
Costigan	Kirk	Schenck	

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FOR JAMES W. HUSTED.

Alvord	Farrar	Lillybridge	Struble
Badger	Fay	Lincoln	W. F. Taylor
Barrow	Gallagher	McAfee	Tewksbury
Bishop	Gedney	Peck	Tremain
Bordwell	Green	Petty	Vedder
Bowen	Hepburn	Pope	Wellington
Braman	Hess	Prince	West
Burtis	Hinckley	Russell	Wetherbee
Calkins	Houghton	Sanford	Whitmore
Clark	Hussey	Seward	Willis
Comstock	W. A. Johnson	Sherwood	Worth
Daggett	Law	Slingerland	Yost
Decker	Lawson		

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Jeremiah McGuire having received a majority of all the votes given, the Clerk declared that he was duly elected Speaker of the Assembly.

The Clerk appointed Messrs. Alvord and Davis as a committee to conduct the Speaker to the chair; and, on taking the chair, he addressed the House as follows:

Gentlemen of the Assembly :

It is not affectation when I say that it is with the greatest diffidence that I accept and enter upon the performance of the duties of the position to which your partiality has assigned me. While fully appreciating the honor of presiding over the deliberations of the popular branch of the Legislature of this great State, and warmly tendering to you my grateful acknowledgment for this exhibition of your confidence and esteem, at the same time I am not unmindful of the perplexing duties, the harassing cares and the peculiar responsibilities of the place. Untried in the capacity of presiding over a deliberative body like this, and with but limited experience in parliamentary practice or proceedings, I feel a misgiving, a distrust, a want of that intuition, tact — that quick perception — that indescribable something so indispensably necessary to a proper and successful discharge of the duties of the office. Confessing and admitting my inexperience, and it may be a lack of some of the requisite qualifications, I have no misgiving or doubt but that I can preside with the strictest impartiality, ignoring all partisanship, administer your rules with the utmost fairness, recognizing the rights of the minority, respecting the privileges of each individual member, and regarding and treating each as the peer of his fellow. It would be presumptuous in me to imagine that errors and mistakes will not unavoidably occur in the administration of the complicated and arduous duties of the chair. Often will your indulgence be invoked, and when such errors proceed from the understanding, and not from the intention, I realize that I can safely rely upon your magnanimity to disarm all harsh and unjust criticism.

Gentlemen, we have met under delicate and peculiar circumstances, at a time when trade is struck with the blight of stagnation; when the business interests of the State are, in a measure, prostrated, and the industries are in a state of partial paralysis; at a time when the public pulse is feverish and excited, and the eyes of the people are turned to their servants; at a time when there is a wide-spread and deep-rooted suspicion—if not an absolute conviction—that government has been perverted from its true ends, aims and purposes; that it has been administered in the interest of a few, at the expense of the many; at a time when our proceedings will be, by all classes of our constituents, closely watched, canvassed and criticised; at a time when there is a stern and inflexible purpose being formed and maturing in the public mind, to hold all officers to a strict accountability for the proper execution of the trust committed to them. With the argus eyes of the press upon us, ready to shoot from its quiver the barbed arrows of censure and condemnation if we err; with a watchful and vigilant people firmly resolving that their business, not ours, must be conscientiously performed, it behooves us to move and act with wisdom, prudence and caution, and above all with honesty, fairness and integrity, and an eye single to the public good and welfare, resisting in legislation all evil or appearance of evil.

It is expected, nay, it is imperatively demanded of us that, as we hold the keys of the public treasury, we be prudent in appropriations and economical in expenditures, that all extravagance and prodigality, all exclusively personal and selfish schemes be ignored, scouted and condemned; that the corner-stone and fundamental principle of our action must be such legislation as shall conduce to good government and in the interests of the people at large—recognizing, respecting and guarantee

ing the rights of corporations to manage their own affairs and control their own proceedings and actions, whether such corporations be moneyed or municipal, at the same time protecting the people from overshadowing monopolies or the encroachments of large and powerful associations. Heretofore much of the time of the Legislature was consumed in personal and special legislation, and the belief was prevalent that this class of legislation was an ulcer — a canker eating the vitals of the body politic; that it was the source of shameless corruption and unblushing bribery; that it changed this hall into the seat of the money changer and the abode of wrong-doing. So great was this belief (whether well or ill founded) that the people in their sovereign capacity at the last election inhibited such legislation, and directed us to pass general laws providing for the subjects so prohibited. A great, important and responsible duty therefore devolves upon us in the adaptation of statutes to the requirements of the organic law. I need not remind you that this work demands the best wisdom, judgment, care and discretion in its performance and execution. I doubt not, gentlemen, but that you will be fully equal to the emergency, and not disappoint the expectations of those whom you serve and represent.

The majority of this body is responsible for its legislation. For a failure to execute the will of the people, as recently by them unmistakably expressed, for all bad and vicious enactments, you, gentlemen of the majority, must account to your constituents. Let there be no shrinking, no dodging of responsibility. In view of the pledge that each of you gave, when you accepted a nomination for a seat in this body, that you would be so accountable and responsible, let me entreat you to watch with more than ordinary care and vigilance to see that no improper or questionable legislation passes this body to bring discredit upon us, and thus render our professions a sham and delusion. Our constant aim and endeavor should be to elevate the standard of official life. It should be a high, proud and honorable position to be a law-giver of the State of New York. In the early days it was so considered and regarded. Can we not, by the practice of economy and retrenchment, remembering that it is for the large body of the people that we legislate and not for a favored few, exacting honesty and integrity in official life, acting only for the welfare of all and the prosperity of the State, bring back our Legislature to the high place it occupied when presided over by a Spencer, a Livingston, and our own living and honored statesman, Horatio Seymour, instead of allowing it to sink, sink, until it becomes a by-word and reproach?

Majority and minority are alike interested in good laws, careful and prudent expenditures, an absence of all suspicion or taint of suspicion, around this capitol. In this respect we can exclaim with one of the fathers of the Republic, "We are all democrats; we are all republicans." In all such you will have the cordial and active co-operation and sympathy of the Chair; trusting, hoping and believing that all of our actions will tend to good government, the prosperity of the people and the welfare of the State; that our sessions will be harmonious, friendly, and fraternal relations prevail, and when our labors here close we can return to our homes, each and all of us, with the approval of our respective constituents and a consciousness of duty well and honestly performed.

The House then proceeded in the same manner as in the election of Speaker, to the election of Clerk, with the following result:

FOR HIRAM CALKINS.

Beach	Davis	Kirk	Schenck
Beardsley	Dessar	Krack	Schieffelin
Benedict	Edson	Kshinka	Schuyler
Bennett	Ely	Lawrence	Scudder
Berry	Faulkner	Lewis	Shattuck
Bradley	Fish	Mackin	Sherman
Broas	Fream	McGowan	Shiel
Brogan	Friend	McGroarty	Silverman
Brown	Griffin	Merwin	Smith
T. C. Campbell	Hammond	J. W. Miller	Stauf
T. J. Campbell	Hanrahan	Muller	Stephens
Christopher	Hauschel	Oakley	Talmage
Cleary	Hogan	Page	G. Taylor
Coffey	Holmes	Pierson	Vosburgh
Cole	Ives	Ransom	Waehner
Cooke	W. Johnson	Reilly	Wenzel
Costigan	Keenan	Rich	Witbeck
Daly	Kennaday	Roscoe	Wurts

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FOR EDWARD M. JOHNSON.

Alvord	Decker	Law	Slingerland
Badger	Farrar	Lawson	Struble
Barkley	Fay	Lillybridge	W. F. Taylor
Barrow	Gallagher	Lincoln	Tewksbury
Bishop	Gedney	McAfee	Tremain
Bordwell	Green	Peck	Vedder
Bowen	Hepburn	Petty	Wellington
Braman	Hess	Pope	West
Burtis	Hinckley	Prince	Wetherbee
Calkins	Houghton	Russell	Whitmore
Clark	Hussey	Sanford	Willis
Comstock	Husted	Seward	Worth
Daggett	W. A. Johnson	Sherwood	Yost

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Hiram Calkins having received a majority of all the votes given, Mr. Speaker declared him duly elected Clerk of the Assembly, and administered to him the constitutional oath of office.

On motion of Mr. J. W. Miller,

Resolved, That the House now proceed to the election of a Sergeant at-Arms.

The House then proceeded to the election of a Sergeant-at-Arms, with the following result:

FOR EDWARD A. BROWN.

Barkley	Davis	Krack	Schieffelin
Beach	Dessar	Kshinka	Schuyler
Beardsley	Edson	Lawrence	Scudder
Benedict	Ely	Lewis	Shattuck
Bennett	Faulkner	Mackin	Sherman

Berry	Fish	McGowan	Shiel
Bradley	Fream	McGroarty	Silverman
Broas	Friend	Merwin	Smith
Brogan	Griffin	J. W. Miller	Speaker
Brown	Hammond	Muller	Stauf
T. C. Campbell	Hanrahan	Oakley	Stephens
T. J. Campbell	Hauschel	Page	Talmage
Christopher	Hogan	Pierson	G. Taylor
Cleary	Holmes	Ransom	Vosburgh
Coffey	Ives	Reilly	Waehner
Cole	W. Johnson	Rich	Wenzel
Cooke	Kennaday	Roscoe	Witbeck
Costigan	Kirk	Schenck	Wurts
Daly			

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FOR FREDERICK C. FISK.

Alvord	Farrar	Lawson	Slingerland
Badger	Fay	Lillybridge	Struble
Barrow	Gallagher	Lincoln	W. F. Taylor
Bishop	Gedney	McAfee	Tewksbury
Bordwell	Green	Peck	Tremain
Bowen	Hepburn	Petty	Vedder
Braman	Hess	Pope	Wellington
Burtis	Hinckley	Prince	West
Calkins	Houghton	Russell	Wetherbee
Clark	Hussey	Sanford	Whitmore
Comstock	Husted	Seward	Worth
Daggett	W. A. Johnson	Sherwood	Yost
Decker	Law		

50

Edward A. Brown having received a majority of all the votes given, was declared duly elected Sergeant-at-Arms of the Assembly, and the oath of office was administered to him by the Speaker.

Mr. Berry offered for the consideration of the House a resolution, in the words following:

Resolved, That George W. Irish be and is hereby elected door-keeper of the Assembly for the session of 1875.

Mr. Husted moved to amend by striking out the name of George W. Irish, and inserting the name of Eugene L. Demers in place thereof.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Benedict offered for the consideration of the House a resolution, in the words following:

Resolved, That William W. McKinney be and is hereby elected first assistant door-keeper of the Assembly for the session of 1875.

Mr. Alvord moved to amend by striking out the name of William W. McKinney, and inserting in lieu thereof the name of James Hogan.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Pierson offered for the consideration of the House a resolution, in the words following :

Resolved, That Charles M. Johnson be and is hereby elected second assistant door-keeper of the Assembly for the session of 1875.

Mr. Vedder moved to amend by striking out the name of Charles M. Johnson, and inserting in lieu thereof the name of Michael Mahar.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Vedder, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cleary offered for the consideration of the House a resolution in the words following :

Resolved, That Spencer C. Rodgers be and is hereby elected stenographer of the Assembly for the session of 1875.

Mr. Daggett moved to amend by striking out the name of Spencer C. Rodgers and inserting in lieu thereof the name of Worden E. Payne.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Daggett, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Oakley,

Resolved (if the Senate concur), That when this Legislature adjourns on Wednesday, January 6, it be to meet on Tuesday, January 12, at 11 o'clock A. M.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Faulkner,

Resolved, That a committee of two be appointed by the Speaker to examine the ballots to be used in drawing seats, and compare them with the list of members.

On motion of Mr. Hammond,

Resolved, That when this House adjourns it do so to meet at four o'clock, and that when convened the members proceed to draw for seats in the usual manner; that, previous to such drawing, the chamber be cleared of all persons except members and officers, and that the members retire to the cloak room, and remain there until their names are drawn and called under the direction of the Clerk of the Assembly.

On motion of Mr. Mackin,

Resolved, That the Clerk be authorized to make the usual contract with the postmaster of the city of Albany for the transmission of papers and documents, the postage of which shall not exceed forty cents each, and that he be authorized to send by express packages when the charges exceed forty cents.

Senators Selkreg and Dayton, a committee from the Senate, appeared in the Assembly chamber and announced that the Senate was organized and ready to proceed to business.

On motion of Mr. McGroarty,

Resolved, That the postmaster of the last Assembly be requested to take charge of the Assembly post-office until the Speaker shall be prepared to appoint such officer.

On motion of Mr. Sherman,

Resolved, That a committee of two be appointed by the Speaker to wait upon his Excellency the Governor and inform him that the Assembly is organized and ready to proceed to business.

Mr. Speaker appointed as such committee Messrs. Sherman and Alvord.

On motion of Mr. Waehner,

Resolved, That a committee of two be appointed by the Speaker to inform the Senate that the Assembly is organized and ready to proceed to business.

Mr. Speaker appointed as such committee Messrs. Waehner and Vedder.

On motion of Mr. Taylor,

Resolved, That the rules of the last Assembly be and they are hereby adopted for the government of this body until otherwise ordered, and that said rules be referred to the committee on rules, when appointed, to make such revision thereof as they shall deem proper, with power to said committee to report at any time.

The following officers then appeared, and the oath of office was administered to them by the Speaker:

George W. Irish, door-keeper; William W. McKinney, first assistant door-keeper; Charles M. Johnson, second assistant door-keeper; Spencer C. Rodgers, stenographer.

On motion of Mr. Cleary,

Resolved, That the Clerk be requested to invite the clergymen of the cities of Albany and Troy having parishes to open the daily sessions of this Assembly with prayer.

Messrs. Sherman and Alvord, the committee appointed to wait upon the Governor, reported that they had performed that duty, and that his Excellency requested them to inform the Assembly that he would shortly communicate with them in writing.

Messrs. Waehner and Vedder, the committee appointed to wait upon the Senate, reported that they had performed that duty.

The private secretary of the Governor appeared in the Assembly chamber and presented a communication from the Governor, in the words following:

EXECUTIVE CHAMBER, }
ALBANY, January 5, 1875. }

To the Legislature:

At the advent of a new year, when the public bodies assemble, to consult in respect to the affairs, and to transact the business of the State, our first thought should be, to offer up devout thanksgiving to the Supreme Disposer of events, for the blessings which we have enjoyed during the year now closed. Our great Commonwealth comprises a population of more than four and a half millions—largely exceeding that of the whole United States at the formation of the Federal Government—and embracing vastly more extensive and diversified interests and activities. Our sense of duty ought to be commensurate with the magnitude of the trust conferred upon us by the people. Forming, as our State does, so important a part of the American Union, the benefits of an improved polity, of wise legislation, and of good administration, are not confined to our own citizens, but are felt directly and by their example, in our sister States, and in our national reputation throughout the world. Mindful, with you, of these considerations, I proceed to perform the duty enjoined by the constitution upon the governor, to “communicate, by message to the Legislature,” “the condition of the State,” and to “recommend such matters to them, as he shall deem expedient.”

RECEIPTS AND EXPENDITURES.

The receipts into and payments from the Treasury, on account of all the funds, except the Canal and Common School Funds, for the fiscal year ending September 30, 1874, were as follows:

Receipts	\$26, 465, 370 43
Payments	19, 636, 308 36

Balance in the Treasury September 30, 1874..	\$6, 829, 062 07
The available balance amounted to.....	\$6, 494, 881 44

The difference being made up by the defalcation in the State Treasury in 1873, of \$304,957.91, and the sum of \$29,222.72, being an old balance due from the Bank of Sing Sing.

STATE DEBT.

On the 30th of September, 1873, the total funded debt was \$36,530,406.40, classified as follows:

General fund.....	\$3, 988, 526 40
Contingent (stock issued to the Long Island Railroad Company)	68, 000 00
Canal.....	11, 352, 880 00
Bounty	21, 121, 000 00
	<u>\$36, 530, 406 40</u>

During the months of August and September, 1873, stocks of the Bounty Loan were purchased to the amount of \$306,000, but not canceled until after September 30, 1873. Deducting this sum, the bounty debt amounted to \$20,815,000, and the total debt to \$36,224,406.40.

On the 30th September, 1874, the total funded debt was \$30,199,456.40, classified as follows:

General fund.....	\$3, 988, 526 40
Contingent.....	68, 000 00
Canal.....	10, 230, 430 00
Bounty	15, 912, 500 00
	<u>\$30, 199, 456 40</u>

The actual reduction of the State debt during the fiscal year ending September 30, 1874, by cancellation of matured stocks, and by the purchase of \$4,902,500 of Bounty Loan 7s of 1877, for the Bounty Debt Sinking Fund, is \$6,024,950.

In addition to the \$4,902,500 of Bounty Stock, purchased for the Bounty Debt Sinking Fund during the last fiscal year, and canceled, there have been investments for that sinking fund, since the date of the last report to the present time, in State Securities and Government Registered Bonds to the amount of \$4,381,500, at a cost of \$4,972,091.35; add \$327,283.88 premium and \$3,210 commissions on Bounty Loan Stock purchased and canceled, and \$1,421,584, interest on Bounty Debt, makes a total of \$11,626,667.23 paid on ac-

count of this Sinking Fund since the date of last report to the present time. The securities, now held in trust for this sinking fund, amount, at their par value, to \$6,802,944.09, which could be disposed of, at the present market rates, at an average premium of over twelve per cent.

The following statement shows the amount of the State debt on the 30th September, 1874, after deducting the unapplied balances of the sinking funds at that date :

	Debt on the 30th September, 1874.	Balance of sinking funds on 30th September, 1874.	Balance of debt after applying sinking funds.
General Fund	\$3,988,526 40	\$4,142,693 84	
Contingent	68,000 00	32,823 49	\$35,176 51
Canal	10,230,430 00	1,561,018 99	8,669,411 01
Bounty	15,912,500 00	*7,125,278 20	8,787,221 80
	<u>\$30,199,456 40</u>	<u>\$12,861,814 52</u>	<u>\$17,491,809 32</u>

The State debt on the 30th September, 1873, after deducting the unapplied balances of the sinking funds, amounted to	\$21,191,379 34
On the 30th September, 1874, to	17,491,809 32
Showing a reduction of	<u>\$3,699,570 02</u>

TAXES.

The State tax levy for the current year amounted to 7½ mills.
The total amount of the tax will be \$15,727,482.08, about \$900,000 in excess of the amount levied during the preceding fiscal year.

OTHER DEPARTMENTS OF THE STATE.

Summary statements in respect to the Banks, Savings Banks, Trust, Loan and Indemnity Companies, Insurance Companies, Quarantine, the Emigration Commission, Common Schools, Colleges and Academies, the State Library and Museum, the National Guard, the soldiers of the war of 1812, the war claims against the United States, the Salt Springs and the State Prisons, are appended. The full reports of the public officers and boards, charged with the special care of these subjects, will be transmitted as soon as their preparation is completed. Your attention is invited to them, and especially to the report of the Comptroller, which will be submitted at the opening of the session.

STATE CENSUS.

The Constitution provides that an enumeration of the inhabitants of the State shall be taken, under the direction of the Legislature, in the year 1855, and at the end of every ten years thereafter.
Chapters 64 and 181 of the Laws of 1855, and chapter 34 of the Laws of 1865, which remain in full force, prescribe the manner of taking the enumeration.
These acts require the Secretary of State to prepare uniform blank

* Deducting interest accrued to October 1, 1874, payable January 1, 1875.

returns and abstracts, for the purpose of taking the enumeration and obtaining statistical information as to population and social statistics, the resources and interests of the State, individual and associated industry, agriculture, the mechanic arts, commerce and manufactures, education, and other information of great value to the statistician and all classes of citizens, and will probably require little or no modification.

It will be necessary for the Legislature to make an appropriation to enable the Secretary of State to carry into effect the provisions of the Constitution and statutes above referred to. A sum equal to the amount appropriated in 1865 for that purpose, by chapter 598 of the Laws of that year, will probably be sufficient.

The Secretary of State has taken preliminary steps toward taking the enumeration, and looks to the Legislature for an early appropriation to enable him to go forward with the work.

PAUPERISM.

The annual report of the State Board of Charities will be laid before the Legislature, and I commend it to your attention. It will contain the results of a special examination in respect to the condition of children in the poor-houses, and the subjects of out-door relief and alien paupers. The laws relating to pauperism need revision and amendment. The growth of the State in wealth and population has brought with it more complex relations between capital and labor, which should be carefully studied, in order that legislation may be adapted to their requirements. I suggest whether it is not advisable that a commission be appointed to investigate and report upon the management and relief of the poor, and to propose such legislation as will tend to relieve the industry of the State from the evils which result from poor laws, vicious or inadequate in conception, or defective in execution.

CENTENNIAL EXHIBITION.

The celebration of the centennial anniversary of American Independence will occur in the year 1876. Under the auspices of the general government an international exhibition of arts, manufactures and natural products will be held in the city of Philadelphia. Provision has already been made for the appointment of a board of five commissioners to represent this State, who are to serve without compensation. I recommend a moderate appropriation of money, which will be required to defray the necessary expenses of the commission, and enable this State to take such part in the exhibition as will testify our sense of the greatness of the event commemorated, and is suitable to the dignity of our Commonwealth.

CONSTITUTIONAL AMENDMENTS.

The adoption of the recent amendments to the Constitution renders necessary some important legislation in order to carry them into full effect. The changes made in article 2 require corresponding changes in the election laws, with respect to challenges and the oaths thereupon, and the enactment at the present session of a law "excluding from the right of suffrage all persons convicted of bribery or of any infamous crime."

The amendment of section 4 of article 8 of the Constitution, requires the enactment of a "general law conforming all charters of savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities."

The addition of article 15 necessitates the passage of an act prescribing the punishment for the offense of bribery created in sections 1 and 2. Some legislation may be necessary in consequence of the change in the mode of compensating members of the Legislature, and in some other matters which will readily occur to you.

The section added to article 3 as section 18 requires the passage of general laws, providing for the cases in which special legislation is prohibited by that section. Many of these cases are within existing general laws, and, with respect to several others, no immediate legislation seems to be required. Doubtless, however, some legislation is expedient, either in the way of enacting statutes providing for the cases to which the existing statutes do not apply, or in the way of amendments to existing statutes.

The provision prohibiting special legislation in the cases specified is the amendment, from which the largest benefits have been anticipated. In framing the general laws which are to provide for these cases, great caution will be necessary. The part I took in the Convention of 1846, and even before the enactment of the general banking law of 1838, in advocating the principle of general laws in its application to the creation of corporate bodies which had been practical monopolies, and to other cases where it seemed to be safely applicable, may justify me in suggesting some qualification of the advantages to be derived from the change, unless it be accompanied by especial foresight and wisdom.

It will doubtless be an unavoidable necessity to modify existing general laws, and to shape new ones to be enacted with reference to special and peculiar cases. It is quite possible to give a general form to the phraseology of every enactment intended to apply to a special case, and to operate as a special grant of powers.

The benefit intended to be secured by the prohibition may thus be defeated. Even greater mischiefs than those which existed under the old system may be created.

The parties interested in promoting a law intended to obtain special powers for a particular case, cannot be relied on to guard against the possible operation of the general provision in the other cases to which it may be applied. The legislators, who could measure the whole consequences of an act limited in its terms to a special instance, cannot foresee the possible cases to which a general law adapted to the instance present to his mind, may be found capable of applying, or what operation it may have. There will, therefore, be great danger of vague, loose and hasty legislation in contemplation of one object, but capable of working in numerous cases results neither foreseen or intended.

The new legislation called for by this provision should be framed with more than ordinary care.

FRAUDS AND MALVERSATION BY PUBLIC OFFICERS.

It will be the first and most imperative of our duties to revise the laws which are intended to provide criminal punishment and civil remedies for frauds by public officers, and by persons acting in complicity with them. The condition of our existing statutes and of our unwritten law, as its provisions for such cases have been construed and declared by recent decisions of the court of final resort, disclose grave defects. The practical evils resulting from these defects are greatly increased by the recent frequency and magnitude of violations of official trust.

IMPERFECTION OF CRIMINAL LAWS.

The statutes punishing embezzlement are held not to apply to such offenses, when committed by public officers. The statutes relating to larcenies are deemed to be of questionable application to a fraudulent acquisition of public funds, existing in the form of credits inscribed on the books of a bank, and known in the language of commerce as deposits. The statutes in regard to obtaining money or property by false pretenses, are not free from technical embarrassments in their application to public frauds. Without assenting to the conclusion that these statutes are wholly unavailable in such cases, it cannot be doubted that they are inadequate, unfit for the exigencies of the times, and that they abound in needless technical questions which tend to the defeat of public justice.

No illustration of these defects can be so impressive, as certain facts of recent experience. A public officer designated by statute of the State, and authorized, with two others, to audit the then existing liabilities against the county of New York, fraudulently made an audit, or certified to an audit not made, of fictitious claims to the amount of six millions of dollars, and instantly received a million and a half of the money paid on such audits, through a common agent between himself and the pretended owners of the claims. For this flagrant crime, accompanied by many circumstances of aggravation, the eminent counsel, who represented the people, deemed it prudent to seek convictions only for misdemeanors in neglect of official duty, the punishment for each of which is imprisonment in the penitentiary for a term not exceeding one year, and a fine not exceeding two hundred and fifty dollars. When we consider that a person, who, under the temptation of pressing want, steals property of the value of over twenty-five dollars, is liable to imprisonment in the State prison for a term of five years, and that the other offenses against private property are punishable with corresponding severity, the inadequacy of the law applicable to great public delinquents, betraying the highest trusts, and plundering the people on a grand scale, is revolting to all just notions of morality and justice.

RECOMMENDATIONS.

I recommend the enactment of a statute which shall clearly embrace such offenses, and impose penalties upon them proportionate to their moral turpitude and to the mischief which they inflict upon society.

It can apply only to future cases; but it may be expected to do something toward preventing a recurrence of such evils.

CIVIL REMEDIES.

The existing civil remedies applicable to such cases are no less inadequate. For the last three years, the spectacle has been exhibited on the conspicuous theater of our great metropolis, of fraudulent officials remaining in quiet possession and making unobstructed dispositions of great wealth, which we are morally certain was derived from their spoliation of public trusts, notwithstanding legal proof of the most conclusive nature exists of their guilt. In the meantime, civil actions have been dragging their slow length along, as in ordinary cases of 'disputed rights, while the "laws delay" has been maintained by the use of the vast fund abstracted from the public, and no process has been found in our laws by which it could be attached and preserved pending the litigation, or its disposition interfered with before final judgment.

RECOMMENDATION.

A bill to extend to such cases the remedy of attachment as in case of foreign corporations, or non-resident, absconding, or concealed defendants, has been heretofore submitted to the legislature. I trust that such a measure will be speedily adopted. I recommend, further, that preference be given to such cases in the courts, whoever may be the party plaintiff.

A GREAT DEFECT IN OUR JURISPRUDENCE.

A still more serious defect exists in our jurisprudence. Where a wrong is committed, which affects the treasury of a city, county, town or village, the officers who would be the proper plaintiffs in any suit for redress, or who possess exclusively the power to institute or conduct such suits, may be themselves the wrong-doers, or be in complicity with the wrong-doers. In every such case, the remedy must, of course, be very much embarrassed, if not wholly unavailing. The unfaithful incumbents may be entitled to serve for a long term, or they may possess great facilities for gaining the favor of their successors. While the remedy is thus delayed — perhaps for years — the proofs may be lost; or the depredators may make away with their property, and withdraw their persons from the reach of process; or they may, through the lapse of time, become discharged from liability by the statute of limitations. As the offense becomes stale, the public sentiment, which inspires voluntary efforts of patriotic citizens in behalf of the people to seek redress, is wearied and weakened. On the other hand, temptations are strengthened and developed into actual crimes by the prospect of impunity, which grows out of tardiness and uncertainty in the remedial law.

ATTEMPTS TO REMEDY THAT DEFECT.

The frequent occurrence of malversation in local governing officials, has stimulated ingenuity to devise some judicial remedy. At first it

was conceived that the injured tax payers or inhabitants might, in their own names, invoke judicial aid. An analogy was set up to the case of a private corporation in which a corporator, on the omission of the directors to sue, might bring an action, in behalf of himself and his associates, making the corporate body a defendant. The idea received much favor from the courts in the judicial district which comprises the city of New York.

But the Court of Appeals in *Roosevelt v. Draper*, and in *Doolittle v. Supervisors of Broome County*, decided that the individual tax payer had no special interest distinct from that of the public, which would enable him to sustain an action, in person, for the redress of a public wrong of the nature involved in those cases. In the former case, the intimation was made, that the true "remedial process against an abuse of administrative power tending to taxation, is furnished by our elective system, or by a proceeding in behalf of the State;" in the latter, that "for wrongs against the public, the remedy, whether civil or criminal, is by a prosecution instituted by the State in its political character, or by some officer authorized by law to act in its behalf."

The whole reasoning of the court proceeded upon this ground, nor does it seem to have been questioned by the counsel on either side. The remedy intimated in these decisions has been recognized as established law in Great Britain, from which we inherit our equity jurisprudence, by a series of great precedents. It has been applied to populous municipalities, like Liverpool, and to corporate funds derived from taxation, and applicable to general municipal purposes. It is a natural deduction from the historic origin and the expansive philosophy of the equity system, whose proud boast has ever been that it leaves no wrong without a remedy.

On the discovery in 1871 of the frauds committed by the governing officials of the municipality of New York, the Attorney-General, acting on these intimations of our own courts and on the English precedents, instituted actions against the parties inculpated by positive proofs. Within the last year the Court of Appeals, in the cases of *The People v. Tweed*, *Ingersoll et al.*, and of *The People v. Fields*, has decided that the State cannot maintain those actions. The result is at last arrived at, that neither the taxpayer, nor the State in his behalf, can seek redress; that in all the long interval, nobody has been competent to sue or conduct a suit, except some corporation counsel who was an appointee of the accused parties. This is a state of our jurisprudence which calls for new legislation.

NEW LEGISLATION.

In choosing between the two expedients of vesting the right to sue in the individual taxpayer or in the State, it is obvious that the latter should be preferred. The existing statutes intended to confer some limited rights on the individual taxpayer, are practically nugatory. The reasoning of the Court of Appeals, in the cases denying him the right under our customary jurisprudence or the common law, argues with cogency the inconveniences which might attend the possession of such a power by every member of so multitudinous a

body. The wiser alternative is to vest the power in the people of the State, acting by their Attorney-General. It will be analogous to the authority which exists in respect to private corporations and in cases of nuisances, and of *quo warranto*: and will be in conformity to the safe methods and traditional usages of equity jurisprudence.

LOCAL SELF-GOVERNMENT.

The establishment of such a remedy for the injured taxpayer or citizen will not detract from, but will make possible, and will found on a durable basis local self-government. Human society will struggle, like every thing that lives, to preserve its own existence. When abuses become intolerable, to escape them it will often surrender its dearest rights.

All the invasions of the rights of the people of the city of New York to choose their own rulers and to manage their own affairs — which have been a practical denial of self-government for the last twenty years — have been ventured upon in the name of reform, under a public opinion created by abuses and wrongs of local administration, that found no redress. When the injured taxpayer could discover no mode of removing a delinquent official, and no way of holding him to account in the courts, he assented to an appeal to the legislative power at Albany; and an act was passed whereby one functionary was expelled, and by some device the substitute selected was put in office. Differing in politics as the city and State did, and with all the temptations to individual selfishness and ambition to grasp patronage and power, the great municipal trusts soon came to be the traffic of the lobbies. It is long since the people of the city of New York have elected any Mayor who has had the appointment, after his election, of the important municipal officers. Under the charter of 1870 and again under the charter of 1873, the power of appointment was conferred on a Mayor already in office. There has not been an election in many years, in which the elective power of the people was effective to produce any practical results, in respect to the heads of departments in which the actual governing power really resides.

A new disposition of the great municipal trusts has been generally worked out by new legislation. The arrangements were made in secret. Public opinion had no opportunity to act in discussion, and no power to influence results. Inferior offices, contracts, and sometimes money were means of a competition, from which those who could not use these weapons were excluded.

Whatever defects may sometimes have been visible in a system of local self-government, under elections by the people, they are infinitely less than the evils of such a system, which insures bad government of the city, and tends to corrupt the legislative bodies of the State.

A popular election invokes publicity — discussion by the contending parties — opportunity for new party combinations, and all the methods in which public opinion works out results.

OFFICIAL ACCOUNTABILITY A CONDITION OF MUNICIPAL INDEPENDENCE.

No part of the civic history of this State is more instructive than the recorded debates of the Convention of 1821, on the question of electing, by the voters of the counties, the sheriff, who is the executive arm of the State. It was thoughtfully considered by our foremost statesmen. Its solution embraced the two ideas — the selection by the locality, and the removal for cause by the State. The Convention of 1846 carried its dispersion of the power of choosing local officers, much farther, on the same system. That system is to distinguish between the power of electing or appointing the officer and the power to hold him to account. It is, while dispersing the one to the localities, to reserve the other to the State, acting by its general representatives, and as a unit; to retain in the collective State a supervisory power of removal, in addition to whatever other accountability may result to the voters or authorities of the locality, from the power to change the officer at the expiration of his term, or from special provisions of law.

The two ideas are not incompatible. On the contrary, each is the complement of the other. Such dispersion of the appointing power has become possible, only because these devices have been invented to preserve accountability to the State.

The right of the State, by its general representatives to remove, is capable of being made to destroy the local election or appointment. The right of the State to sue is not. It is less in conflict with the local power of election and appointment. Official accountability is not complete if there is no remedy for official wrongs but removal. That remedy needs to be supplemented by accountability in the courts on the appeal of a taxpayer or citizen of the locality. If a right to that appeal is denied, the appeal will continue to be made, on often recurring occasions, to the legislative power; and the system of the last twenty years will be perpetuated.

MUNICIPAL PROBLEM.

The problem of municipal government is agitating the intellect of all civilized peoples. In our own State it is the more interesting and important because it involves the half of all our population, which lives in cities or large villages.

The frame-work of the system which we should adopt must be intrenched in the fundamental law; and protected, by constitutional restrictions, from arbitrary and capricious changes by legislation. This problem failed of any solution in the recent amendments to the Constitution. It is worthy of long continued thought and debate. Time and discussion will at last mature a safe and wise result.

THE ERIE CANAL AND THE TRANSPORTATION PROBLEM.

The State of New York, not denying the general unfitness of government to own, construct or manage the works which afford the means of transportation, saw an exception in the situation, and in the nature of the canals, which are trunk communications between the

Hudson and the great inland seas of the North and West. They connect vast navigable public waters, and themselves assume something of a public character.

THE NATURAL PASS OF COMMERCE.

The voyage from Europe to America, even if destined to Southern ports, is deflected by the ocean currents so as to pass closely by the gates of our commercial metropolis. That capacious harbor is open the whole year, accessible in all prevailing winds, is sheltered, safe and tranquil. From it the smooth waters of the Hudson give transit to the lightest hull, carrying the largest cargo, which the skill of man has brought into use. The head of navigation on the Hudson touches the natural pass of commerce, opened up in the geographical configuration of this continent, where the Alleghanies are cloven down to their base, and travel and traffic are allowed to flow across on a level and by the narrowest isthmus, to the lake ports, which connect with all that great system of inland water communication and interior commerce, the most remarkable, in its character and extent, and accessories, that exists in any part of the globe.

THE NORTHWEST.

Tributary to the western centres of lake commerce, such as Chicago and Milwaukee, are vast areas of fertile soils, which stretch to and partly include the valley of the Upper Mississippi. Open prairies, easily brought into cultivation, fitted for the use of agricultural machinery, adapted to the cheap construction of railways, and peculiarly dependent on their use as a means of intercourse and traffic, have been opened to settlers at nominal prices. They have been rapidly filled by a young, intelligent and energetic population, trained in the arts and industries of an older civilization, and applying them to natural advantages which have been found elsewhere, only in conjunction with the social barbarism of an uninhabited wilderness. They are now covered with a net work of railways, which connect myriads of little centres with the lake ports and with the trunk railways, that bring them into practical contiguity to our great Eastern centres of population, capital, commerce and manufactures.

NEW YORK'S LIBERAL POLICY — THE ERIE CANAL TRUST.

New York, without arrogating to itself an undue share in these achievements, may contemplate with proud satisfaction its contribution to results so magnificent. Important as are the advantages which have accrued to itself, it has not sought to monopolise the benefits of its policy. The price of such cereals and other products of agriculture as are exported in considerable quantities, are mainly fixed by the competitions of the foreign markets, even for our own consumption. The cheapening of the cost of transit, therefore, chiefly profits the producer. This consideration illustrates how large and liberal, in the main, is the policy adopted by the State — a policy which I had the satisfaction of advocating in 1846 and 1867 — of

treating these great works as a trust for the million, and not seeking to make revenue or profit for the sovereign out of the right of way. In consonance with the same policy, was the action of the State in 1851, in permitting the transit free of tolls, upon a railway which it allowed to be constructed between the termini of the Erie canal and along its bank. It had originally undertaken the construction and administration of the canal, in order to create a facile and cheap transportation demanded by the interests of the people, and not otherwise possible to be attained. It did not forget the motive for which it had acted, and remember only its selfish interests as a proprietor. It, therefore, by an act which anticipated the necessity afterward to arise by the construction of rival routes, repealed all restraints on the carriage of property, and opened to free competition every mode of transit, even in rivalry to its own works, for the products of the west and for the manufactures and merchandise of the east.

NOT TO BE ABANDONED.

The Erie Canal remains an important and valuable instrument of transport, not only by its direct services, but by its regulating power in competition with other methods of transportation. The State, so far as we can now foresee, ought to preserve it, and not contemplate its abandonment.

DUTIES OF THE STATE.

If the State accepts the view which commands it to abstain as a proprietor from making profit out of the canal, but to deal with it as a trust, it still has great duties to perform. It is bound, as a faithful trustee, to protect this great work, not only from a spoliation of its revenues and from maladministration, but from empirical changes, proposed in the seductive form of specious improvements that would destroy its usefulness while charging it with new incumbrance; and from an improvident tampering with its incomes that would dissipate its means of effecting real improvements.

These are its ever-recurring and its greatest perils.

LAKE AND CANAL NAVIGATION CANNOT BE ASSIMILATED.

The 925 miles of lake navigation from Chicago to Buffalo, and the 495 miles of canal and river navigation from Buffalo to New York, and the 3,000 miles of ocean navigation from New York to the Old World, cannot be made homogenous or even assimilated; each is subject to physical conditions which are unchangeable, and to which the vehicle of transportation must be adapted.

LAKE BOATS UNFIT AS CANAL BOATS.

The rough and stormy lakes require a strong vessel, made seaworthy by its deep keel, fully manned, and of a form intended for speed in an unlimited expanse of water. The canal admits of a light keel, and a shape which will carry a larger proportional cargo; for the boat moves safely in a tranquil channel of water, closely confined by physi-

cal boundaries on the bottom and sides, and cannot but submit to a slow movement.

The propellor of the lakes tends to grow in dimensions. A recent one carries 70,000 bushels of wheat, or 2,100 tons. A barge to be towed by each propellor is a system now being tried with fair prospects of success.

The lake craft of the average size carries less cargo in proportion to the vessel than the canal boat; and it costs twice and a half or three times as much as the canal boat per ton of capacity.

If the Canal were made large enough to pass the lake craft, the transporter could not afford to use the lake craft on the canal. It carries too little cargo — it is too costly — it would have to reduce its rate of motion from about eight miles per hour on the lake to less than three miles per hour, which is the highest aim of the canal boats, that now make only $1\frac{4}{5}$ miles per hour.

Such a vehicle of transport would not be adapted to the water channel it must move in, and would not be economical. Transshipment at Buffalo, with modern machinery, would cost little, compared with the loss incident to using an unfit and illy adapted instrument.

To enlarge the Erie canal to dimensions adapted to the movement of such a vessel, at the rate of less than three miles per hour, would be so inconvenient to the traffic, that it would be easier and cheaper to construct an independent work. That would probably cost a principal sum, the annual interest on which would be greater than the entire amount now received by the carrier for his services, and by the State for its tolls on all the existing business. A shorter route would be likely to be preferred. The Hudson river, from Troy to deep water, would need a similar reconstruction.

ENLARGED LOCKS AND UNENLARGED WATER-WAY.

A project often urged within the last ten years is the enlargement of the locks and other structures of the Erie canal, without a proportionate enlargement of the waterway. That plan exhibits a singular union of injurious costliness and fatal parsimony. It is founded on the fallacy that the use of a large boat, without reference to its adaptation to the waterway in which it is to move, would be economical. It is supported by an estimate of the State Engineer in 1864, that the cost of transportation would be reduced one-half. His opinion has been repeated on all occasions until the present time.

But that estimate, when analyzed, is found to omit all the wages and support of the crew during the return trip, and during the time occupied in loading and unloading, and to allow for the use of the boat about half its real cost. In other respects, it was utterly unworthy of trust.

ECONOMY FROM THE BEST GROUP OF ADAPTATIONS.

The truth is, the boat is but one part of the whole machine of transportation; economy in the service depends upon getting the best adaptation of all the various parts — the boat — the motive power — the canal, with its structures and its waterway; the best group of

adaptations which adjustments and compromises of each can work out and combine; and the resultant of the greatest economies which can be obtained in conjunction.

A larger boat, in a waterway which now needs to be itself enlarged and improved to give a good transit to the present boat, would be an unmixed damage to the economy of the service, attained at immense cost.

PERFECTING THE CANAL THE WISE POLICY.

The Erie canal was planned in view of the best science and experience then possessed. It has excellent adaptations. It is a superior instrument of transportation. It should not be fundamentally changed in its character and conditions without great consideration. It should be perfected, and so made available to every practicable extent, for facilitating and cheapening the exchanges of commodities between the East and the West.

ITS CAPACITY — ITS ECONOMY.

The two questions concerning it are: first, its capacity to do an aggregate business during a given period; secondly, the economy per ton per mile of the transportation it affords. These questions are generally confused in all discussions. They are completely distinct. They depend upon wholly different conditions.

ITS CAPACITY AMPLE.

Capacity to accommodate an aggregate tonnage during a day, a month, or a season of navigation, depends on the number of boats of the normal size which the locks are able to pass during the period. Boats can be multiplied indefinitely. The limit to their use is in the number to which the locks can give transit. The time occupied in a it. But it is unnecessary to apply that, for the actual once set at rest every doubt.

By two locks which intervene between the waters of the waters of the Hudson, all but a few have been 7 years. In 1867, when the subject was discussed in al Convention, thirteen remained single. For the ie opening of navigation next spring, double locks into use throughout the entire canal. That will nearly double the capacity of the canal to make lockages. The largest delivery of the Erie Canal at tide water was in 1862. It amounted to 2,917,094 tons, in cargoes averaging 167 tons. The lockages both ways, and including rafts which pass only one way,—at Alexander's, which is in the throat of the canal, three miles west of Schenectady,—was 34,977. In 1873, the deliveries were 2,585,355 tons, in cargoes averaging 213 tons, and the lockages were 24,960.

The theoretical capacity of the canal will be three or four times the largest tonnage it has ever reached. There is no doubt it can conveniently and easily do double the business which has ever existed, even though the locks be not manned and worked with the highest efficiency. The subject of capacity may, therefore, be dismissed from this discussion.

ECONOMY PER TON PER MILE.

The question really worthy of our attention is how we can perfect the canal, so as to reduce the cost per ton per mile of the transportation it affords.

Quickening the movement of the boat increases the service it renders in a given period. It lessens every element in the cost of that service. It enlarges the number of tons carried in the given time, and by enlarging the divisor of the same expenses, it reduces the rate of cost per ton per mile.

TO BE INCREASED BY PERFECTING WATER-WAY.

The economy in the transit of the boat must be made, not in the locks, but in the water-way. The $7\frac{1}{2}$ locks in the 345 miles between Buffalo and West Troy, if each takes five minutes, would occupy exactly six hours.

In October, 1873, 76 boats were timed, and their average passage down, with average cargoes of 227 tons, was 10 days, 2 hours and 46 minutes, or nearly 243 hours. If we double the time taken in the locks, the time occupied on the levels between them would still be over 95 per cent of the whole time of the voyage. It is clear, therefore, that the saving of time must be made in the 95 per cent, and not in the five per cent. Economy per ton per mile in the transportation, so far as it depends on the structure of the canal, is to be found in the relation which the water-way bears to the boat.

The movement of the boat through water confined in an artificial channel — narrow and shallow — is, at best, very slow. The engineers, in 1835, planned the Erie Canal and the boat with such relations to each other as to give the greatest economy of power and facility of transit. The boat has inclined to grow rather large and too square. The water-way was practically never excavated in every part to its proper dimensions. Time, the action of the elements, and neglect of administration, all tend to fill it by deposits. I may be excused for repeating here what I said in the Constitutional Convention eight years ago:

“What the Erie Canal wants is more water in the prism — more water in the water-way. A great deal of it is not much more than six feet, and boats drag along over a little skim of water; whereas it ought to have a body of water larger and deeper even than was intended in the original project. Bring it up to seven feet — honest seven feet — and on all the levels, wherever you can, bottom it out; throw the excavation upon the banks; increase that seven feet toward eight feet, as you can do so, progressively and economically. You may also take out the bench-walls.”

RECOMMENDATIONS.

I recommend that such measures be taken as your wisdom, aided by such information as can be had from the proper administrative officers, may devise, to put in good condition and to improve the water-way of the Erie Canal; and that provision be made by law to enable the State Engineer, soon after navigation is opened, to measure

the depth of water in the canal by cross-sections as often as every four rods of its length, and on the upper and lower mitre-sill of each lock.

FUTURE INVENTIONS AND ECONOMIES.

Such a policy, if properly executed, will give a better and more economical transit to the boats, if they continue to be towed by horses. It will also facilitate the use of steam canal boats, and the full realization of the advantages they may be expected to give as to economy of transportation. The obstacle to their use in 1867 was that the machinery, in its then state, displaced too much cargo to be economical, and was, in other respects, imperfect. The progress of invention since seems to promise more beneficial results. If the movement of the boat can be expedited from $1\frac{1}{4}$ miles to 3 miles per hour, including the time consumed in the lockages, the improvement will be of great importance and value. The estimate of the able engineer of the Commission on Steam Canal Navigation, is that the cost of carriage of a bushel of wheat from Buffalo to New York will be reduced from eight cents to four cents. It is not to be supposed that the inventive genius applied to this interesting subject is exhausted, and if these results shall, in any degree, fail to be realized by the present experiments, we may, nevertheless, anticipate more complete success in the future.

INCOME AND OUTGO.

It will be seen that on the Erie canal alone the surplus of income over expenditures is about $37\frac{1}{2}$ per cent of the gross income. If the three other canals which are to be retained by the State as part of the system be included, the surplus is but $11\frac{2}{3}$ per cent.

TOLLS.

The present tolls on wheat are $3\frac{1}{10}$ cents, and on corn 3 cents per bushel, from Buffalo to Troy — 345 miles. They were reduced in 1870 — those on wheat from $6\frac{21}{100}$, or one-half; and those on corn from $4\frac{23}{100}$ to 3 cents, or about 38 per cent.

One cent per bushel taken off the present tolls, and the same proportion on other articles, would annihilate nearly all the net income of the Erie canal, considered alone, and would make a deficiency, in respect to the four canals retained, of half a million of dollars a year, if future expenditure should be the same as in these three years.

The construction of the details of the toll sheet belongs to the Canal Board, and adjustments from time to time may be necessary. Doubtless suggestions on that subject will always receive due consideration. But in the present condition of things to embark hastily and unadvisedly upon a general reduction of tolls might well be considered as improvident, even in respect to the canals themselves. To confiscate the surplus of one cent, or half a cent per bushel, which alone gives the means of making the improvements expected to realize a reduction of four cents in the cost of transportation, would not seem a wise execution of the trust, even disregarding other considerations which cannot be wholly overlooked.

NO RASH INNOVATIONS.

The question of altering the gates of the locks, or otherwise lengthening the chambers, may be safely deferred until we can be more sure of its utility. The fact that, on the Delaware and Raritan Canal, which admits of long boats, the proportions which exist in those now used on the Erie canal are preferred, is against that alteration, as is also the judgment of excellent canal engineers. Holding ourselves ready to accept improvements which have been subjected to trial and scrutiny, until they are practically assured of success, we ought to exercise the same caution, in respect to rash or crude innovations, which ordinarily governs men in private business.

FINANCIAL RESULTS OF THE LAST THREE YEARS.

The financial results of the fiscal years ending September 30, 1874, 1873 and 1872, for the Erie canal, and for the Champlain, the Oswego, and the Cayuga and Seneca, are as follows:

ERIE.

Year end'g Sept. 30.	Income.	Ordinary repairs.	Extraordinary repairs.	Total expendi- ture.
1872.	\$2,760,147 50	\$1,025,079 09	\$661,942 02	\$1,687,021 11
1873.	2,710,601 49	749,977 03	967,175 39	1,717,152 42
1874.	2,672,787 22	701,340 81	973,548 96	1,674,889 77
	<u>\$8,143,536 21</u>			<u>\$5,079,063 30</u>
Income in excess of disbursements.....				\$3,064,472 91
Average for each year				<u>1,021,490 97</u>

CHAMPLAIN.

1872..	\$150,644 28	\$236,211 47	\$251,871 61	\$488,083 08
1873..	153,417 86	234,677 37	562,782 95	797,460 32
1874..	123,703 54	203,137 90	242,216 43	445,354 33
	<u>\$427,765 68</u>			<u>\$1,730,897 73</u>
Excess of expenditure over income.....				\$1,303,132 05
Average for each year.....				<u>434,377 35</u>

OSWEGO.

1872..	\$90,796 57	\$171,794 82	\$141,673 94	\$313,468 76
1873..	88,428 13	93,938 80	78,880 58	172,819 39
1874..	70,119 59	107,938 21	75,561 29	183,499 50
	<u>\$249,344 29</u>			<u>\$669,787 65</u>
Excess of expenditure over income.....				\$420,443 36
Average for each year.....				<u>140,164 45</u>

CAYUGA AND SENECA.

Year end'g Sept. 30.	Income.	Ordinary repairs.	Extraordinary repairs.	Total expendi- ture.
1872..	\$17,882 58	\$38,267 23	\$26,319 00	\$64,586 23
1873..	22,481 11	27,143 48	6,921 06	34,064 54
1874..	19,311 47	28,934 08	28,517 04	57,451 12
	<u>\$59,675 16</u>			<u>\$156,101 89</u>
	Excess of expenditure over income.....			\$96,426 73
	Average for each year			<u>32,142 42</u>

RECAPITULATION FOR THREE YEARS.

Income over Expenditure.

Erie \$3,064,472 91

Excess of Expenditure over Income.

Champlain.....\$1,303,132 05
 Oswego 420,443 36
 Cayuga and Seneca 96,426 73
 ----- 1,820,002 14
 ----- \$1,244,470 77
 Each year..... 414,823 59

THE PAYING CANALS.

It will be seen that during the last three years the income of the Erie canal considered alone, has been \$8,143,536.21, and its expenses \$5,079,063.30, yielding a surplus of \$3,064,472.91, or an average for each year of \$1,021,490.97. The excess of expenditure over income of the three other canals which are to be retained by the State has been \$1,820,002.14, or three-fifths of the surplus produced by the Erie. Considering the four as a system collectively, the surplus has been \$1,244,470.77, or an average for each year of \$414,823.59.

THE NON-PAYING CANALS.

During the same three years the five other canals, to which the constitutional amendment applies, have given an income of \$119,864.45, or for each year of \$39,954.81, against an expenditure of \$1,596,499.74, or for each year of \$532,166.59. They have consumed all the net income of the paying canals and have charged the State with a loss of \$232,164.52, or for each year, \$77,388.17. In addition to this annual loss, the whole burden of the sinking fund to pay the Canal debt is thrown upon the State.

INCREASE INCOME BEFORE DISCARDING INCOME.

A careful investigation whether the net incomes of the canals retained cannot be increased, ought to precede a surrender of what little now exist. Ordinary repairs should be scrutinized with a view to retrenching their cost, and to obtaining the largest possible results from the outlay. Extraordinary repairs include much which so regularly recurs in different forms, that they must be considered a part

of the maintenance of the works. No doubt they also include improvements which are of the nature of new capital. These and all improvements should be governed by a plan and purpose, leading to definite results; and, instead of scattering expenditures on imperfect constructions, should aim to complete and make available the specific parts undertaken. Unity of administration and of system, both in respect to repairs and improvements, should be established, even if only by the voluntary consultation and co-operation of officers having authority over separate portions of a single work. It is worthy of consideration, whether any legislation can aid in securing the unity in this respect, which existed under our former Constitution.

NEW YORK THE TRUSTEE FOR THE INTERESTS OF ALL.

The State, hearing all parties interested in the use of the Canals, will remember that itself, as an arbiter and trustee, must look equitably to the interests of all. This it will do in a wise, liberal and just spirit. To the last degree possible, it will cheapen facilities to trade. It will aim to preserve for its metropolis its position as the carrier, merchant and banker of the New World.

CHIEF FUNCTION OF THE CANAL SYSTEM — NEW YORK CITY.

Inevitable changes must be recognized as the results of modern inventions and improvements in the machinery of transportation. When water routes alone existed, products came to New York for distribution to points which are now more easily and cheaply reached directly by rail. Railroads covering the country like a net work touch so many points that they are a more perfect and complete agency for the reception and distribution of produce, than a water communication connecting a few principal points; and where the transit from the producer to the consumer requires the use of the rail to reach the water, or after leaving the water, or both, the all rail route will often be preferred. New routes will acquire the business which is naturally tributary to them, and take besides some portion of the general business. The main transportation of Western agricultural products is for local consumption in the East. What comes to us for our own consumption cannot be diverted. What goes for consumption elsewhere cannot be acquired. The exports of agricultural products to foreign countries are but a small part of the whole production. In those, New York will easily continue to maintain her pre-eminence.

The Champlain and Oswego canals are, as well as the Erie, in some sense, trunk canals; and the Cayuga and Seneca canal connects our interior lakes. It is a noteworthy fact that Mr. Flagg, who so long and honorably conducted the State finances when the Canal Department was a bureau in his office, always insisted that with the four canals now to be retained the system was complete. Those it is now proposed to abandon are not fruits of his policy.

DISPOSITION OF THE NON-PAYING CANALS

The adoption of the constitutional amendment removing the prohibition against "selling, leasing, or otherwise disposing of" the

canals owned by the State, in respect to all except the Erie, the Oswego, the Champlain and the Cayuga and Seneca canals, undoubtedly contemplate such action on your part as will disencumber the revenues of the canals retained by the State, and disembarrass the treasury of the State from the unproductive works in respect to which the prohibition is withdrawn. It cannot have been supposed possible to "sell or lease" those works, on conditions which require the purchaser to maintain and operate them. To "otherwise dispose of" them amounts to a practical abandonment.

USE AS FEEDERS.

Even to deal with them thus involves many important questions of a business character. Those portions of them which descend toward the Erie canal act as feeders to supply water to that canal. The supply cannot be safely diminished, and might be judiciously increased. The improvement of the water-way contemplated will call for more water. The consideration of what must be done to retain as feeders, portions of these canals not hereafter to be maintained by the State for navigation, or what other provision for a supply of water shall be substituted, is important. To make the change contemplated by the amendment, with as little harm as possible to private interests, and to consider and provide for cases of possible damage which may be caused by the works when falling into disuse, needs careful study of the facts of the situation. It is also to be ascertained what portion, if any, of the property of the State connected with these works can be wisely sold.

A SPECIAL COMMISSION RECOMMENDED.

The best suggestion which occurs to me on this subject, is to impose the duty of considering and reporting on these questions upon a special commission consisting of four persons. In the meantime, no expenditures should be made upon those works, which are not strictly necessary in view of their probable future.

THE INTEREST OF NEW YORK IN THE FINANCIAL POLICY OF THE UNITED STATES.

The State of New York receives nearly seven-tenths of all the imports, and sends abroad nearly half of all the exports of the whole United States. In its commercial metropolis, a much larger share of our dealings with foreign nations in securities and money is transacted, and, as at a common mart, the exchanges are largely made between the people of the United States in domestic manufactures and products, and in public and corporate securities and stocks. More than one-half of the revenues of the Federal Government are collected within its borders; and at least one-fifth of all Federal taxation falls upon its citizens.

Since the Federal Government has assumed to provide a currency for the whole country, directly by the issue of its own notes, or indirectly by bank notes, which are secured upon bonds of the United States, and in case of default by the issuer, are to be paid, before resorting to the securities, by the United States; since it has inci-

mentally absorbed the regulation of the business of banking; since it has largely increased its taxation, and imposes that taxation in forms which affect the courses of industry and the application of capital and labor, it is impossible to exclude these vast operations, and the administrative policy and the legislation connected with them, from a review of "the condition of the State," which it is the constitutional duty of the Governor to communicate with such recommendations "as he shall judge expedient," "to the Legislature at every session."

CAN MORE CURRENCY REVIVE PROSPERITY.

The illusion is too common that an additional issue of currency in legal tenders or bank notes, would alleviate the distress now felt in business, cause a general rise of prices, and revive a seeming, if not a real, prosperity. Thus many are tempted to desire or to acquiesce in a demand upon the Federal Government to put out new promises to pay, while it is yet in a long-continued default as to those heretofore made; and to do so after ten years of peace, while having no better excuse for its present default, than lack of skill in applying its abundant resources to the restoration of the public faith.

The hope of benefits to any class from such an unsound policy, would prove to be completely fallacious. It would prolong and intensify the evils sought to be alleviated. This conclusion is clear upon principle, and in our own experience. In order distinctly to see its truth, it is only necessary to analyze that function in the business of society, which is performed by the circulatory credits known as currency.

CURRENCY BUT A PART OF CIRCULATING CREDITS.

To economize the use of metallic money, which had become the common instrument of exchange, personal credit, in the form of book accounts, was introduced. For example, the farmer delivered to the country merchant his grain when ready for the market, and the merchant delivered his goods at the times when they were wanted by the farmer for consumption; each delivery was entered in a running account, until a balance was struck, and even then the settlement generally took place without the intervention of money, which neither party had the capital to own for each transaction, or to pay the ultimate balance. Next came the note of hand, and, when the transaction was between parties doing business at different places, drafts and bills of exchange. At last the most refined tool of commerce became perfected. The bank note, promising to pay coin on demand, to bearer, in an even and convenient amount, engraved and authenticated — when issued by an institution or individual of established general credit — was voluntarily accepted by everybody in place of coin. It is the currency used in payment by those who do not keep bank accounts, and, in petty transactions, by those who do keep bank accounts. A credit inscribed on the books of the bank, known in the language of commerce as a deposit, and transferred by check, is the preferred medium of payment, in all save petty transactions, by those who keep bank accounts. It is preferred because a check may represent a large and uneven amount, which in notes would be incon-

venient in the counting, handling and custody ; and a check payable to order is safer, and is itself an evidence of the payment. In dense communities, where the bank is near the customers, checks are mostly used. In sparse communities, where the bank is remote from the dealers and holders, bank notes are mostly used.

These two tools of trade and mediums of payment are, in their general functions, perfectly identical.

BANK NOTES AND CHECKS THE SAME IN EFFECT AND NATURE.

Their real nature is, that they are a provision for expected payments, and a reserve for possible payments. On deposits, the holder submits to a partial or total loss of interest, for some banks allow interest, at low rates, on deposits ; on bank notes, the holder submits to a total loss of interest. To each holder the motive is ever present, to reduce his non-interest bearing reserve to the lowest necessary amount, by investing it, if it be his own, or by returning it, if it be borrowed.

THEIR AMOUNT VARIED BY PEOPLE'S WANTS, IF PAYABLE IN COIN.

If the currency be redeemable, the wants of the community, and not the wishes of the banks, will determine the amount which will remain outstanding. All that government ought to do toward fixing that amount, is to provide methods to enforce payment by the issuers of such notes as the holders not wishing to use return to the issuers for redemption.

AMOUNT FLUCTUATES WITH THE TIMES.

It is true that, in times of speculation, the currency increases. Transactions become more numerous. Higher prices cause the same transactions to absorb more of the medium of payment. There is greater disposition to provide for contemplated or possible operations. There is less care to economize the loss of interest on the amount kept on hand. In times of depression all these conditions are reversed. During the long period of downward tendencies, from 1837 to 1842, the currency fell, of itself, to about one-half its amount at the beginning of the period.

THE RELATION OF CURRENCY TO PRICES.

In the ordinary and regular relations between a redeemable currency and prices, the fluctuations in the currency follow, instead of preceding, changes in general prices. The notes in the hands of the public, less the reserve kept for their redemption, form a part of the loan fund of a bank, but that amount is not capable of being increased at the will of the bank, until a speculation has arisen, and higher prices or more transactions have resulted.

Even then, the increase of currency merely provides for the prior increase of prices or of transactions. It may be said, that the increase of currency is a condition without which the increase of prices or transactions could not happen, but that is not true, unless

it be shown that no other tool of credit than bank notes could be used.

In cases where a bank originates a speculation by enlarging its loans, it must do so at the expense of its customary reserve.

It is only artificial changes in the currency — generally made by government — that the currency itself becomes the primal source of speculation. In fact, it nearly always happens that speculative purchases are originally made on personal credit, evidenced by open accounts or notes of hand. The banks are applied to only at the expiration of the original credit; and then what is wanted is not a continued use of bank notes, but a loan of capital. Bank notes are one of the wheels in the machinery of credit. They have no quality peculiar in its action on prices, or different in its action on prices, from any other part of the machinery of credit. The currency, at its present amount of bank notes and legal tenders, is less than the deposits, and is but a small fraction of the whole existing mass of credits, including book accounts, notes of hand, drafts and bills of exchange. And new forms of credit machinery are capable of being invented indefinitely as when, in September, 1873, the New York Associated Banks created a currency of twenty millions of certificates, to be used in the exchanges between themselves.

BUT CURRENCY ONLY SMALL PART OF CIRCULATORY CREDITS.

It is idle to pronounce the machinery of credit a maniac, dangerous to the community, and then to put only its little finger in a strait-jacket.

EXPERIENCE OF ENGLAND.

The experiment of regulating the note circulation only has been completely tried in Great Britain. In 1844, when, on the re-charter of the Bank of England, the bank note circulation of that country was subjected to rules which were supposed to make it fluctuate exactly as if it were coin, it was thought by all but a few great thinkers, that there would ever after be stability of prices and stability of business. But in 1847, in 1857, and in 1866, commercial revolutions of undiminished severity demonstrated the fallacy of these hopes, and of the system on which they were founded. While the note circulation has ever since been confined by law to a nearly constant amount, the deposit circulation has increased many fold. The vicissitudes of credit are as violent as ever. It is apparent that whenever a foreign demand for coin arises, not caused by domestic overtrading, the system creates an artificial scarcity of an important instrument of commerce, and subjects all business to an unnecessary perturbation; that, whenever a panic destroys the credit of inferior dealers, and the interposition of the highest credit is called for to supply the vacuum and revive confidence, the system breaks down — the law limiting the issues of bank notes is suspended with the approval of the Ministry, and with a promise to appeal to Parliament for an act of indemnity.

WHY AND HOW INCONVERTIBLE CURRENCY DEPRECIATES.

The depreciation of a currency, not convertible into coin, represents the interest and risk, as estimated by the judgment of investors, on a loan payable at the will of the government, without interest — subject to such temporary fluctuations, as are induced by the variations in the supply and demand of coin in which that loan is ultimately payable.

THUS INFLATING PRICES.

There is no doubt that the issue of legal tenders during the civil war hastened and greatly increased that inflation of prices, which naturally resulted from the increased consumption and the waste caused by military operations, and from the diminished production occasioned by so large a withdrawal of workers from their ordinary industries.

It is the nature of credit to be voluntary. It is founded on confidence. Credit, on compulsion, is a solecism. So that a forced loan of capital from all existing private creditors cannot but be costly.

LEGAL-TENDER FINANCING.

It was made, in this instance, on a security which bore no interest, and interest on which could only be represented in discount from its par value. It gave to the lender an agreement to pay, which, being instantly due on demand, started in its career a broken and dishonored promise. Every successive holder was left to conjecture when it would be redeemed by the issuer — how far it might be absorbed in the Treasury receipts — whether it could still be paid out to some private creditor — at what loss it could be passed away in new purchases, on a market advancing rapidly and irregularly. Everybody was advised that the Federal Government — unwisely distrusting the intelligence and patriotism of the people — shrank from exercising its borrowing power, supplemented by its taxing power; that, instead of resorting at once to the whole capital of the country capable of being loaned, which forms a vast fund, perhaps thirty or forty times as large as the then existing currency, it chose to begin by debasing that comparatively insignificant part of circulating credits, creating fictitious prices for the commodities and services for which it was next to exchange its bonds, in an expenditure ten times as large as the whole amount of the legal tenders it ventured to put afloat. No man could know how often or how much of legal tenders might be issued, under possible exigencies of the future. It could not be wholly forgotten that such issues, made by our ancestors to sustain the victorious war for national independence, were never redeemed, while the public loans made for the same purposes were all paid. It was remembered that history affords other warning examples to the same effect. These elements of distrust were needlessly invoked. But the system stopped short of the logical completeness of the expedients of the French Convention in 1793. While it compelled the existing private creditor, or any body

who should grant a new credit, to accept payment in legal tenders, it did not assume to regulate the prices of commodities. The seller, therefore, gradually learned to represent the depreciation of the currency in the price of the article he exchanged for it. As compared with gold, the currency, during all the last year of the war, was depreciated to between forty and fifty cents on the dollar, touching at its lowest point thirty-five cents on the dollar.

HOW IT RAISED PRICES BY PROVOKING SPECULATION.

It was not alone by the direct effect of the depreciation of the currency that prices were acted upon; speculation was engendered. Political economy takes little account of the emotional and imaginative nature of man. In long periods, with numerous instances, the average, deduced as a law, may perhaps discard that element. But in a particular instance, or at a particular time, it is often very potent, and must be estimated in any calculation which aims at accuracy.

After a period of rest — when the disposition to activity begins to revive — a slight circumstance often excites a speculation that becomes general. The opening of a new market, an apprehended deficiency in the supply of a commodity, any one of a thousand circumstances, may, in a certain state of the public mind, be a spark to kindle a blaze of speculation throughout the commercial world. How much more, then, might it have been expected that such a governmental policy would inspire and inflame the spirit of speculation? The effect was greatest during the process of a new issue of currency, or while it was anticipated. After the issue was completed, there was generally a subsidence, or a reaction.

AND NEEDLESSLY DOUBLED THE BURDEN OF THE WAR.

The government consumption during the war was mostly of our domestic products. As soon as the channels of traffic could be adapted to the new points of consumption, and the new classes of consumers, there was no more difficulty in the transfer of these products from producers to consumers than in the ordinary operations of commerce during peace.

Governments, in times of public danger, cannot be expected always to adhere to the maxims of economical science; the few, who would firmly trust to the wisest policy, will be often overborne by the advocates of popular expedients dictated by general alarm. If the Federal government had paid out treasury notes, not made a legal tender, in its own transactions whenever it was convenient, and redeemed them by the proceeds of loans and taxes on their presentation at a central point of commerce, and meanwhile had borrowed at the market rates for its bonds, secured by ample sinking funds, founded on taxation, and had supplemented such loans by all necessary taxes, the sacrifices would not have been half that required by the false system adopted, perhaps the cost of the war would not have been half what it became.

This analysis of the process, by which the changes in the currency operated to produce the effect on prices witnessed by the people, is necessary, in order to intelligently discuss the problem now pressed upon us. For the fallacy lurks in many minds, that the quantity of the currency, even when it has become stationary and quiescent, creates by its direct action, a state of prices proportionate to that in quantity.

RELATION OF THE QUANTITY OF CURRENCY TO THE RANGE OF PRICES.

But this fallacy is confuted by our own experience. The premium on gold fell from 185 in July, 1864, to 29 in May, 1865; or rather the currency rose from 85 cents to 77 cents in gold value, while the amount of the currency remained undiminished. The quantity of the currency in the hands of the public — taking the aggregate of the legal tenders and the bank notes, and excluding all of both which are held by the Treasury or by the banks — is now larger than at any former period. The existence of such a quantity has not arrested the tendency to a general fall of prices. The present inconveniences in business, which it is proposed to remedy by a new issue of currency, have originated and gone on to their maturity, while the currency was being distended to its greatest volume.

EXCESS OF CURRENCY, YET FALLING PRICES.

An excess beyond what is capable of being used for the business of society is now, for the first time, distinctly indicated. The movement of the crops in the last autumn — which requires something like one-tenth addition to the ordinary amount — created no stringency. The banks have voluntarily withdrawn some millions of their circulation. It is probable that the amount capable of being absorbed by the business of the country will continue to fall for a long period.

WHEN INFLATION CANNOT INFLATE.

In such a condition of business, of credit, and of the public temper, a new issue of currency would not cause a rise of prices, unless it were so excessive as to occasion speculative depreciation, or distrust of ultimate redemption. It could not re-animate the dead corpse of exhausted speculation. A period of quiescence must ordinarily precede a renewal of the spirit of adventurous enterprise.

DISTRESS FROM FALLING VALUES AND LACKING CAPITAL.

The distress now felt is incident to the continued fall of values, which is the descending part of the cycle through which they must pass after being forced up to an unnatural elevation. The want felt is a want of capital which the party does not own, and has not the credit to borrow; not a lack of currency. It is caused by investments in enterprises which have turned out to be wholly or partially bad, or which give slower returns than were anticipated — by too much conversion of circulating capital in fixed capital — by exces-

sive undertakings or engagements, induced by a reliance on a credit that was transient. In a period of falling prices, good property becomes less convertible. It loses its circulatory quality. It almost ceases to be a resource to obtain money.

HOW DISTRESS CANNOT BE CURED.

These inconveniences would not be removed, if the government should put out legal tenders and take in a corresponding amount of bonds, or if a bank should deposit bonds, and receive notes in exchange. Still the individual distressed for the want of capital would have no additional means to buy or borrow these new issues, which the new owner would obtain only by paying for them. A diminution of the government bonds outstanding, is a condition of the increase of legal tenders or bank notes. If an embarrassed person could obtain the government bonds surrendered or deposited, he would be as much relieved by his power to dispose of them, as he would by a power to dispose of the legal tenders or bank notes. His difficulty is that he is equally unable to obtain either. He has not the means to buy, or the credit to borrow, them. What he wants is something to make his bad investments good — his slow investments current; something to make his property convertible — to impart to it a circulating quality, as when there is a general rise of values under a speculative excitement, and everybody is disposed to buy, and every thing finds a ready market.

INCREASE OF CURRENCY CANNOT CURE DISTRESS.

He wants something to create in others a disposition to buy, in order that he may be able to sell. This is what, in the present state of things, an increase of the currency will not do. It would not act mechanically on prices. It does not operate by physical means. It simply influences the minds of men. It induces them to buy, and, in the effort to do so, they bid up prices. It is only when the minds of men are disposed to receive an impulse toward buying, that such an effect is produced. When speculators go into the market to influence others to buy, in order that they may sell, the conference usually ends in a fall. Even when speculators go into the market to sell on an event expected to cause a rise, the result is commonly a fall. Everybody cannot get out at once, at the expense of others.

CHANGING FORMS AND VARYING VOLUME OF CIRCULATORY CREDITS.

The amount of currency required by the needs of business is not to be decided by former experience. There is no doubt that, on the first issue of legal tenders, they were largely substituted for other forms of credit. A single case will illustrate: The sudden rise in prices enabled the farmer to become the owner of the floating capital, on which his next year's dealings with the country merchants were to be carried on. The habits of business change to adapt themselves to new conditions. It is possible that the government might cautiously

follow the tendencies of trade, and retire each clearly ascertained surplus without doing any harm. But a withdrawal of any considerable portion of the amount required at the season of the year which creates the large demand, would produce serious and unnecessary distress. The adoption of a system which should threaten such a result would be very mischievous. The Federal Government is bound to redeem every portion of its issues which the public do not wish to use. Having assumed to monopolize the supply of currency and enacted exclusions against everybody else, it is bound to furnish all which the wants of business require. The case is, as if the government should undertake to monopolize the supply of lake propellers or canal boats to bring grain to market. If it should not furnish enough, the derangement of business and the distress of producers and consumers would be intolerable. While securing redemption, the government should organize a system which passively allows the volume of circulating credits to ebb and flow, according to the ever-changing wants of business. It should imitate, as closely as possible, the natural laws of trade which it has superseded by artificial contrivances.

EASY CONDITIONS OF RESUMING SPECIE PAYMENTS.

The ability of the Federal Government to resume specie payments, is thus simply a question of its command of resources to pay such portions of the circulating credits it has issued, as the public not wishing to use, may return upon it for redemption. The amount to be paid cannot be considered large, in comparison with its financial operations. It has the taxing power, and by reducing its expenditure could accumulate an adequate surplus. It has the borrowing power and good credit. It can make permanent loans and pay the treasury notes which are returned for redemption. It can convert them or fund them into interest-bearing securities. In that case, they would cease to be currency, and would take their place among investments like national, state, municipal, railroad, or other corporate bonds, or any of the numerous forms of moneyed securities, of which many thousand millions are held in our country. The circulatory quality, in securities of equal general credit, is chiefly a question of the rate of interest they bear.

The amount of coin necessary for resumption is, *first* an adequate reserve to meet the demand for exportation, for which the treasury would become the universal reservoir; and *second*, a surplus sufficient fully to assure the people that the treasury supply would not be exhausted. The power to command coin as the owner of foreign bills of exchange, or in other forms, would, to a large extent, be equivalent to possessing coin. Beyond such an amount of coin, the question is simply a question of capital.

The exact time of actual resumption, the process, the specific measures, the discreet preparations — these are business questions to be dealt with, in view of the state of trade and of credit operations in our own country, the course of foreign commerce and the

condition of the exchanges with other nations, the currents of the precious metals, and the stocks from which a supply would flow without undue disturbance of the markets of other countries. These are matters of detail, to be studied on the facts and figures. They belong to the domain of practical administrative statesmanship.

RESUMPTION LESS COSTLY THAN PRESENT IMPOLICY.

It is quite clear that the problem ought to be worked out, without costing the country any thing like such disturbance in its business and industries as the operations of the Federal Government during the last ten years have repeatedly created. The natural causes which affect trade may be foreseen, and all dealers can calculate them with equal advantages in every thing, except their own differences in intelligence and judgment. But the action of an official conducting the largest financial operations in the country, and exercising dominion over the circulatory credits that are part of the machinery by which the mass of private transactions are carried on, cannot but tend to create in all industries, uncertainty, confusion and miscalculation.

HOW PRESENT IMPOLICY HARASSES ALL BUSINESS MEN.

It was said, after the revulsion of 1837, that the barometer of the money market of America hung up in the parlor of the Bank of England. The barometer which hangs up in the Treasury Department at Washington, does not merely indicate conditions and changes of the financial atmosphere; it creates them. Its stormy vicissitudes harass the business of the whole country.

The partial cessation of productive industries and the partial want of employment which now exists, are chiefly produced by the fear of the employers that if they carry on their works, they may produce at a loss. The abstinence from purchase by all those classes of dealers, who buy and get up stocks to provide for future consumption, is chiefly caused by the fear of a further decline of prices. Under these apprehensions, the demand is much less than the ordinary consumption. The instant manufacturers or merchants are convinced that prices have reached the bottom, even for the period of an ordinary business operation, they will begin to resume their function in the economy of trade. The wheels of our complex industries will move, workmen will find employment, and, with revived confidence in the future, prosperity will be renewed in its sources. Nothing could be more unwise, more mischievous in its ultimate results, than to interrupt the healing process of nature, by expedients which will fail of affording any real relief, and will be certain to accumulate new materials for another catastrophe.

It has seemed to me fit that, on this occasion, the opinions of the great Commonwealth we represent, which is so largely interested in these questions, should be declared on the side of sound finance, public integrity and national honor; and, in making this communication the medium of an authentic expression on the subject, I

follow the example, on similar occasions, of several of the most illustrious of my predecessors.

RESULTS DURING TEN YEARS OF PEACE.

It is now almost ten years since the civil war ceased. That period ought to have sufficed to renew our productive industries, to repair the waste of our accumulated capital, and to restore to our people a sound and durable prosperity. But an indispensable condition of such results was energy, skill and economy in production, and frugality in public and private consumption.

MISUSED POWERS OF FEDERAL GOVERNMENT.

The Federal Government has all the while been the greatest single power in the country to influence results, not only by its own vast fiscal operations, its dominion over the currency and the business of banking, and the effect of its transactions on investments of capital, and on the temporary conditions of the money market, but by the ascendancy it acquired during a period of public danger over public opinion and over the conduct of individuals. It is to be deplored that this great capacity for controlling action and for leadership has not conducted us to better results.

The period has been characterized by unsound public finance, an uncertain policy in respect to the currency, a series of speculative excitements tending to unproductive enterprises and unremunerative investments of capital, and terminating in distressing reactions in credit and business; a want of efficiency and economy in production, extravagance in public and private expenditure, enormous taxation and complicated systems of revenue — which have increased the cost and wasted the fruits of that taxation and rendered capital and labor less productive — and frequent spoliation of private and public trusts.

GOVERNMENTS TOO COSTLY.

In the decade beginning July 1, 1865, the people will have paid in taxes, computed in currency, seven thousand millions of dollars. Three-fifths were for the use of the Federal Government, and two-fifths for the State and municipal governments. It is doubtless true that some portions of the municipal expenditures were for objects not strictly governmental. But it cannot be questioned that much too large a portion of the whole net earnings of industry, and of the whole net income of society, is taken for the purpose of carrying on government in this country. The burden could more easily be borne when values were high, and were ascending. As they recede toward their former level, the taxes consume a larger quantity of the products which have to be sold in order to pay them. They weigh with a constantly increasing severity upon all business and upon all classes. They shrivel up more and more the earnings of labor. This condition of things ought to admonish us, in our respective spheres, to be as abstinent as possible in appropriations for public expenditures. If the cost of government in our country

were reduced, as it ought to be, one third, it would still be larger than a few years ago, taking account of the prices of the products, which, in order to pay that cost, we are compelled to convert into money.

TAXATION TOO BURDENSOME — THE PROSTRATION OF THE SOUTH.

The people are less able to bear such taxation by reason of the want of efficiency and economy in production, and the want of frugality in consumption, generated by the causes already indicated, and also by reason of the failure to completely renew the productive energies and activities of the States of the South, which furnish about half of the exportable commodities of the country, other than specie; which are large consumers of our manufactures and productions, and which make us their carriers, merchants and bankers in all their domestic and foreign transactions.

It has been proudly ascribed to the humanity of our age that, since the surrender at Appomatox, not one life has been sacrificed to the policy of the victorious government. It is to be wished that we were equally free from the criticisms that the retribution visited upon our former adversaries merely conforms to the higher modern estimate of property, as compared with life; that exercising a moral coercion, invigorated by a standing menace of military force, we have held those communities bound in withes, to be plundered by rulers destitute of support in their public opinion, and without title to our own respect or trust.

FINAL ACCEPTANCE OF AMENDMENTS TO FEDERAL CONSTITUTION.

Such has been our course, after and in spite of the fact that these our kindred, in a common ancestry, a common heritage and a common future, had joined at national conventions in the nomination of candidates and in the declaration of principles and purposes, which form an authentic acceptance of the results of the war, embodied in the last three amendments to the organic law of the Federal Union, and that they had by the suffrages of all their voters, at the last national election, completed the proof that now they only seek to share with us and to maintain the common rights of American local self-government, in a fraternal union, under the old flag with "one Constitution and one destiny."

There should be no misunderstanding as to this position of our Southern brethren, or of any portion of our fellow-citizens. The questions settled by the war are never to be re-opened.

The adoption of the XIVth, XVth and XVIth amendments to the Federal Constitution closed one great era in our politics. It marked the end forever of the system of human slavery, and of the struggles that grew out of that system. These amendments have been conclusively adopted, and they have been accepted in good faith by all political organizations, and the people of all sections. They close the chapter, they are and must be final; all parties hereafter must accept and stand upon them, and henceforth our politics are to turn upon questions of the present and the future, not upon those of the settled and final Past.

THE PEOPLE MUST AGAIN ATTEND TO PUBLIC AFFAIRS.

The nobler motives of humanity concur with our interests in making us hail, with heartfelt congratulations, a real and durable peace, between populations unnaturally estranged. The time is ripe to discard all memories of buried strifes, except as a warning against their renewal; to join altogether to build anew the solid foundations of American self-government. For nearly a generation, the controversies, which led to fratricidal conflict, have drawn away the attention of the people from the questions of administration, which involve every interest and duty of good government. The culture, the training and the practice of our people in the ordinary conduct of public affairs, have been falling into disuse. Meanwhile the primitive simplicity of institutions and of society, in which government was little felt, and could be neglected with comparative impunity, has been passing away. If public necessities must wring so much from the earnings of individuals, taxation must become scientific. In our new condition all the problems of administration have become more difficult. They call for more intellect and more knowledge of the experience of other countries. They need to become the engrossing theme of the public thought in the discussions of the press and in the competition of parties, which is the process of free institutions. The people must once more give their minds to questions that concern the ordinary conduct of government, if they would have our country to start afresh in a career of prosperity and renown.

SAMUEL J. TILDEN.

APPENDIX.**BANKS.**

On the first day of October last, eighty-one banks were doing business under the laws of this State. During the fiscal year then ended, five banks were organized, and four were closed, one of which failed. Of the five banks created, three were organized with less than one hundred thousand dollars of capital each, under chapter 126 of the Laws of 1874.

Circulating notes to the amount of \$6,368, were destroyed by the Bank Department during the year. Sixty-seven banks were credited with lost circulation, to the amount, in all, of \$285,559 the time for redeeming the same, after the usual legal notice, having expired. The amount of circulation outstanding, including that of incorporated banks, banking associations, and individual bankers, was, on the first day of October last, \$1,105,189.50. Of this amount, the sum of \$367,438 was secured by deposits of cash, stocks, or bonds and mortgages. The residue, \$737,751.50 is not secured, it having been issued prior to the passage of the general banking law. Steps have been taken by twelve banks for the fiscal redemption of \$160,-

301 of these unsecured notes, in accordance with the provisions of chapter 585 of the laws of 1873.

SAVINGS BANKS.

One hundred and fifty-six savings banks (two of which were closing), reported to the Bank Department on the first day of July last. Their assets, in the aggregate, amounted to \$316,122,790, having increased during the year then ended \$1,367,020. The increase in assets during the first six months of 1874 was \$8,553,060. The number of persons having deposits in these institutions was, according to the number of open accounts January 1, 1874, 839,472, being an increase of 16,830, during the year.

TRUST, LOAN AND INDEMNITY COMPANIES.

On the first day of July last, twelve trust, loan and indemnity companies reported to the Bank Department, under chapter 324 of the laws of 1874. The aggregate of capital paid in, as shown by their reports, was \$11,752,040, and the amount due to their depositors was \$38,479,764.

INSURANCE DEPARTMENT.

The number of insurance companies, subject to the supervision of the Insurance Department, on the first day of December, 1874, was 282, as follows:

New York Joint Stock Fire Insurance Companies.....	102
New York Mutual Fire Insurance Companies.....	8
New York Marine Insurance Companies.....	9
New York Life Insurance Companies.....	26
New York Plate Glass Insurance Company.....	1
Fire Insurance Companies of other States.....	87
Marine Insurance Companies of other States.....	1
Life Insurance Companies of other States.....	27
Casualty Insurance Companies of other States.....	4
Canadian Fire Insurance Companies.....	3
Foreign Fire Insurance Companies	11
Foreign Marine Insurance Companies	3
Total	<u>282</u>

The total amount of stocks and mortgages held by the Insurance Department for the protection of policy holders of Life and Casualty Insurance Companies of this State, and of foreign insurance companies doing business within it, was \$10,404,593, as follows:

For protection of policy holders generally, in	
Life Insurance Companies of this State.....	\$3, 689, 891 00
For protection of registered policy holders exclu-	
sively.....	3, 250, 842 00

For protection of casualty policy holders exclusively	1, 000 00
For the protection of plate glass policy holders exclusively	50, 000 00
For protection of fire policy holders in Insurance Companies of other States	40, 000 00
For protection of fire policy holders in Insurance Companies of Canada	600, 120 00
For protection of fire policy holders in foreign Insurance Companies	2, 473, 100 00
For protection of life policy holders in foreign Insurance Companies	300, 000 00
Total deposit.....	\$10, 404, 953 00

QUARANTINE.

During the past year, fifty-seven vessels arrived at the port of New York, in which, during the passage, or while in port, sickness had occurred, rendering them subject to quarantine detention. Eight vessels had eleven cases of small-pox on board, from which 3,228 persons had been exposed to the disease; one hundred and twenty-one cases of yellow fever occurred on forty-four vessels bound for New York, and twelve patients with this disease reached the port, and were cared for at the Dix Island Hospital, of whom two died; and five cases of ship fever were removed by the health officer to the hospital. No cases of cholera occurred in the port, but several vessels arrived from ports infected with this disease, on three of which coming from India, deaths from cholera occurred during the passage. No new disease called for any action by the health officer.

During the year, an epidemic of malignant yellow fever raged in Havana with unprecedented violence, and prevailed in Rio Janeiro and in twelve other South American and West Indian ports, and also in Pensacola and some other Southern ports of the United States, having extensive and direct communication with New York. In Havana, the deaths from yellow fever reached the enormous extent of eighty per cent of the persons attacked, and, in some cases, vessels lying in that harbor during the summer lost all their crews except one or two. It is worthy of notice, that while in previous years nearly nine-tenths of all cases of yellow fever came from the port of Havana, so small a number reached here during the present year. This result, in the opinion of the health officer, is largely due to the sanitary precautions taken by the officers of the vessels, most of whom, being connected with regular lines, are becoming familiar with the quarantine regulations of the port, and with the rigid, though reasonable, restrictions to which vessels having infectious diseases on board are subjected.

During the quarantine season, 1,135 vessels arrived at quarantine from suspected ports; of these, 236 were from ports known to be

infected, and were detained; and 68 were required to discharge their cargoes on lighters in the stream before going to the city.

EMIGRATION.

The following table shows the statistics of emigration for the last fifteen years :

Years.	Commutation fee.	Allens arrived.	Number of emigrants cared for on Ward's Island.	Total cash receipts.	Total cash disbursements.	Amount paid for real estate and buildings, included in total cash disbursements.	Amount paid to counties and institutions of the State, included in total cash disbursements.
1860...	\$2 00-100	105,162	4,729	\$289,497 92	\$217,717 53	.....	\$58,899 08
1861...	do	65,529	5,079	175,434 56	178,401 77	.....	19,855 93
1862...	do	76,306	3,247	174,454 29	138,524 56	.....	16,016 06
1863...	do	156,844	4,911	341,027 00	168,155 71	.....	15,792 22
1864...	do	152,916	7,863	420,366 17	373,768 39	\$132,450 00	19,349 71
1865...	do	196,352	7,425	471,084 85	447,580 20	199,559 67	14,330 74
1866...	do	233,418	10,306	532,048 20	545,983 21	193,937 06	52,940 24
1867...	2 50-100	242,731	13,237	583,154 40	538,577 22	133,696 17	33,945 87
1868...	do	213,686	14,250	577,349 36	662,958 12	125,769 74	†101,737 20
1869...	do	258,989	13,911	695,499 59	606,158 58	96,852 13	48,846 66
1870...	do	212,170	16,601	566,119 26	605,544 24	54,784 98	51,681 15
1871...	1 50-100	229,639	14,889	421,957 40	605,904 17	96,419 47	39,339 58
1872...	do	294,581	15,818	457,011 70	598,793 78	129,765 07	51,556 81
1873...	do	268,818	12,942	415,063 23	466,108 22	61,188 46	32,678 24
1874*...	do	135,323	6,300	214,631 34	299,035 14	22,129 45	.....
Totals	.....	2,870,464	150,488	\$4,334,619 32	\$6,445,235 84	\$1,246,551 20	\$557,419 49

* For eleven months.

† This sum included back claims.

PRESENT FINANCIAL CONDITION OF THE COMMISSION.

The indebtedness of the Board is as follows :	
Due the Equitable Life Assurance Society, amount borrowed on bond and mortgage of the lands at Ward's Island.....	\$100,000 00
Due the counties and charitable institutions of the State, for the care and support of emigrants during the past one and one-half years	75,000 00
Due for current expenses at Castle Garden.....	16,000 00
Estimated expenses of the Castle Garden and Ward's Island establishments for the month of December (including \$10,000 due for coal).....	\$30,000 00
Less cash on hand and estimated receipts	20,000 00
	<u>\$10,000 00</u>
Total estimated indebtedness December 31, 1874..	<u>\$201,000 00</u>

The number of emigrants at present cared for at Castle Garden and Ward's Island is 1,041, and in the counties about 900. During the months of January and February, the number to be cared for

at Ward's Island will increase to about 2,000, and in the counties to more than 1,200. On the first of January next the commissioners will practically be without funds to care for these persons. The expenses of the Ward's Island and Castle Garden institutions will, during the months of January and February, be about \$25,000 per month, while the receipts will not exceed \$5,000 per month.

COMMON SCHOOLS.

The statistics of the common schools for the year ending September, 30, 1874, are as follows :

Total receipts, including balance on hand September 30, 1873.....	\$11, 944, 023 38
Total expenditures.....	10, 779, 779 61
Amount paid for teachers' wages.....	7, 559, 090 59
Amount paid for school-houses, repairs, furniture, etc.	\$1, 721, 282. 64
Estimated value of school-houses and sites	28, 714, 738 00
<hr/>	
Total number of school-houses.....	11, 775
Number of school districts, exclusive of cities	11, 299
Number of teachers employed at the same time for the full legal term of school	18, 554
Number of teachers employed during any portion of the year.....	29, 683
Number of children attending public schools.....	1, 039, 097
Number of persons attending normal schools.....	6, 568
Number of children of school age in private schools..	138, 610
Number of volumes in school district libraries	835, 882
Number of persons in the State between 5 and 21 years of age	1, 501, 874
<hr/>	

COLLEGES AND ACADEMIES.

The condition of the colleges and academies, subject to the visitation of the Regents of the University, is very satisfactory.

There are within the State, 22 literary colleges, 10 medical colleges, and 240 academies and academical departments of union schools. With several of the colleges included in this enumeration, are connected special schools of law, of medicine, and of other branches of science. By the wise liberality of individual citizens, the endowments and appliances of several of these institutions have, during the last year, been largely increased, and their means of usefulness greatly extended. The number of scholars in attendance upon the academies has increased, and the standard of scholarship has, upon the whole, considerably advanced. These institutions, while they prepare students for admission to the colleges, are also designed to fit another class for immediate entrance upon the practical duties of life, and, thus complementing the work of the common schools, form an important part of the educational institutions of the State.

STATE LIBRARY AND MUSEUM.

The State Library, in both its departments, has been enlarged by the application of all the means at the disposal of the Trustees. In the extent and value of its contents, it is a source of just pride to the people of the State. The law library numbers about 26,000 volumes, and the general library about 68,000, including many rare and valuable works.

The State Museum of Natural History, under the management of its able curator, Prof. Hall, is reported to be in excellent condition, and exhibits the productions of the State, in a manner to afford to the student of natural science most valuable aid in his studies.

THE NATIONAL GUARD.

The National Guard consists of eight divisions, containing nineteen brigades, composed of one regiment and nine separate troops of cavalry, one battalion and ten batteries of artillery, thirty regiments and thirteen battalions of infantry. Total officers, non-commissioned officers, musicians and privates (three brigades estimated), twenty thousand five hundred and thirty-two (20,532).

SOLDIERS OF WAR OF 1812.

The last Legislature made an additional appropriation of one hundred thousand dollars (\$100,000), for redeeming certain certificates issued to soldiers of the war of 1812.

The former appropriation paid on the certificates allowed \$91.52 $\frac{1}{100}$ on \$100 of principal.

The appropriation of 1874 paid the balance due on the principal, and \$46.72 on \$100 of interest.

WAR CLAIMS AGAINST THE UNITED STATES.

On the 1st day of January, 1874, the unsettled balance in favor of the State was \$1,209,286.11. Since that time another installment of over \$34,000 has been presented to the Treasury Department. In the unsettled balance above stated is included a claim for \$131,188.02, interest on Comptroller's bonds, which cannot be paid without legislative action.

SALT SPRINGS.

The quantity of salt from the Onondaga Salt Springs, inspected during the last fiscal year, was 6,594,191 bushels, less by 1,364,981 bushels than the production of the preceding year. The net revenue from this source was \$10,341.67, showing a falling off, as compared with the preceding year, of \$11,424.08.

STATE PRISONS.

The following statement shows the expenditures and earnings of each of the prisons, for the year ending September 30, 1874:

	Advances from the Treasury.	Received from Earnings.	Excess of Ex- penditures.
Auburn	\$233,165 90	\$101,910 40	\$131,256 50
Clinton	337,678 12	153,473 60	184,204 52
Sing Sing	360,054 58	124,009 43	236,045 15
Miscellaneous* .....	.....	.....	37,031 25
	<u>\$930,899 60</u>	<u>\$379,393 43</u>	<u>\$588,537 42</u>

In 1867, the excess of advances from the Treasury over receipts from earnings, was	\$366,874 79
In 1868, it was	512,547 74
In 1869, it was	595,774 45
In 1870, it was	461,304 99
In 1871, it was	470,309 23
In 1872, it was	465,881 84
In 1873, it was	597,289 06
In 1874, it was	<u>588,537 42</u>

The number of convicts in each of the prisons, September 30, 1874, was as follows:

Auburn	1,202
Clinton	552
Sing Sing	1,306
	<u>3,060</u>
Total, September 30, 1873	<u>3,025</u>

Mr. Speaker appointed as a committee to examine the ballots Messrs. Faulkner and Lincoln.

On motion of Mr. Kshinka,

Resolved, That the librarian of the last Assembly be directed to take charge of the library until such time as his successor shall be appointed.

Mr. Speaker presented the annual report of the Canal Commissioners; which was laid on the table and ordered printed.

(See Doc. No. 6.)

On motion of Mr. Sherman, at 1 o'clock and 45 minutes the House took a recess until 4 o'clock.

* Miscellaneous expenditures, not distributed, including \$26,231.25 for transportation of convicts.

FOUR O'CLOCK.

•The House again met.

Mr. Oakley offered for the consideration of the House a resolution, in the words following :

Resolved, That James W. Husted, ex-Speaker of the Assembly, be allowed to select his old seat, No. 77.

Mr. McGroarty moved to amend by adding at the end thereof the words "and that Hon. Thomas G. Alvord be allowed to select his seat."

Mr. Speaker put the question whether the House would agree to said motion of Mr. McGroarty, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said resolution as amended, and it was determined in the affirmative.

On motion of Mr. McGroarty,

Resolved, That the name of Michael O'Keefe, the member lately elected in the seventh district of the county of Kings, be placed in the box for the drawing of seats, the same as other members, and that the Sergeant-at-arms be requested to select a seat for him.

Mr. W. Miller rose to a question of privilege.

Mr. Speaker, I rise to a question of privilege. I find in the New York Times of to-day a list of the State officers and members of the Legislature, elected at the last session, who took the oath of office previous to the first of January. In that list my name appears. I desire to state my reason for taking the oath before January 1st, and I ask that they be entered on the journal of this House. When the Attorney-General gave the opinion that all officers taking the oath after January 1st must take the new oath (notwithstanding there was no such oath required at the time of their election), but that if they took the old oath before January 1st they would not be required to take the new one. I asked myself, "What is a fair interpretation of the new oath?" Upon a careful examination of the new oath, it seemed to me that it admitted of two widely different interpretations, depending upon the meaning which might be given to the word "indirectly" as found in that oath. If on the one hand that word should be construed so broadly as to cover the payment of moneys assessed by the regular committees of the party organizations, then I did not see how any person could take this new oath; if on the other hand it be construed so narrowly as not to cover moneys so paid, then I should not hesitate to take the new oath. Since coming here I have consulted eminent lawyers, and they all agree that only the narrow interpretation can be given to the word "indirectly." I knew also that many of the members of this House who have taken the new oath give to it the narrow construction. I shall question but what that interpretation is the correct one, but until the highest courts in this State interpret this oath every man's conscience must teach him what is the true interpretation of it. Whether I exercised a wise and conscientious judgment in thinking that it might have been a much broader construction, and in taking the old instead of the new oath, I leave the people to decide.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution :

Resolved, That when this Legislature adjourns on Wednesday, January 6th, it be to meet on Tuesday, January 12th, at 11 o'clock A. M.

Mr. Faulkner, from the committee appointed to examine the ballots

for drawing seats, reported that they had examined the same, and found them to be correct.

The members then retired from the Chamber, and the drawing was concluded, with the following result :

Name.	No.	Name.	No.	Name.	No.
Alvord	66	Gedney	126	Pope	20
Badger	116	Green	93	Prince	24
Barkley	70	Griffin	104	Ransom	3
Barrow	121	Hammond	16	Reilly	25
Beach	87	Hanrahan	4	Rich	46
Beardsley	85	Hauschel	5	Roscoe	37
Benedict	36	Hepburn	118	Russell	32
Bennett	2	Hess	128	Sanford	13
Berry	67	Hinckley	84	Schenck	72
Bishop	76	Hogan	43	Schieffelin	7
Bordwell	95	Holmes	35	Schuyler	127
Bowen	114	Houghton	48	Scudder	123
Bradley	56	Hussey	115	Seward	23
Braman	54	Husted	77	Shattuck	40
Broas	39	Ives	50	Sherman	49
Brogan	26	W. Johnson	83	Sherwood	101
Brown	103	W. A. Johnson ..	113	Shiel	45
Burtis	86	Keenan	26	Silverman	63
Calkins	75	Kennaday	27	Slingerland	106
T. C. Campbell ..	8	Kirk	18	Smith	28
T J. Campbell ..	10	Krack	126	Stacy	51
Christopher	11	Kshinka	61	Stauf	1
Clark	31	Law	97	Stephens	53
Cleary	57	Lawrence	42	Struble	38
Coffey	47	Lawson	92	Talmage	89
Cole	81	Lewis	69	G. Taylor	44
Comstock	119	Lillybridge	110	W. F. Taylor	82
Cooke	80	Lincoln	117	Tewksbury	12
Costigan	6	Mackin	62	Tremain	33
Daggett	124	McAfee	19	Vedder	52
Daly	9	McGowan	112	Vosburgh	30
Davis	15	McGroarty	56	Waehner	41
Decker	65	Merwin	68	Wellington	90
Dessar	88	J. W. Miller	21	Wenzel	105
Edson	74	W. Miller	22	West	21
Ely	79	Muller	55	Wetherbee	73
Farrar	14	Oakley	78	Whitmore	102
Faulkner	99	O'Keefe	59	Willis	64
Fay	96	Page	125	Witbeck	109
Fish	98	Peck	111	Worth	60
Fream	21	Petty	17	Wurts	100
Friend	91	Pierson	34	Yost	122
Gallagher	94				

On motion of Mr. T. J. Campbell, at 6 o'clock and 4 minutes the House adjourned.

WEDNESDAY, JANUARY 6, 1875.

The House met pursuant to adjournment.

Prayer by Rev. D. M. Reeves.

On motion of Mr. Waehner, and by unanimous consent, the reading of the journal of yesterday was dispensed with.

A communication was received from his Excellency the Governor, transmitting the annual report of the Adjutant-General; which was laid on the table and ordered printed.

(See Doc. No. 18.)

Mr. Speaker presented the annual report of the Auditor of the Canal Department; which was laid on the table and ordered printed.

(See Doc. No. 4.)

Also, the annual report of the Comptroller of the State of New York; which was laid on the table and ordered printed.

(See Doc. No. 3.)

Mr. Vedder introduced a bill entitled "An act to provide for the deficiency in the compensation of the Governor, Lieutenant-Governor and members of the Legislature, under the Constitution as amended, and to regulate the payment thereof, and to fix the salary of the Comptroller," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. McGroarty introduced a bill entitled "An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Talmadge introduced a bill entitled "An act to provide for determining the amount to be paid by the city of New York for certain property, water, and water rights and privileges, taken or used to increase the supply of pure and wholesome water for said city, and to provide for the payment of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. T. C. Campbell introduced a bill entitled "An act to amend an act entitled 'An act to create a Board of Commissioners of Emigration, and to confer certain powers thereon,' passed April 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Sherman introduced a bill entitled "An act to regulate the payment of the salaries and mileage of members of the Legislature," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Lincoln introduced a bill entitled "An act in relation to the appointment of a stenographer for the courts of record held in and for the county of Ontario," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Schieffelin introduced a bill entitled "An act to repeal chapter 327 of Session Laws of 1874, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Westchester,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Kshinka introduced a bill entitled "An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to repeal an act entitled 'An act to suppress intemperance, pauperism and crime,' passed May 29, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Prince offered for the consideration of the House a resolution, in the words following:

Whereas, The Legislature, on the 25th day of March, 1874, passed the following resolution, viz: "*Resolved*, That the Attorney-General be authorized and requested to commence such proceedings in the United States courts as will result in the determination and establishment of the boundary line between New York and Connecticut, in Long Island sound, and also take such legal measures as will test the constitutionality of the laws of Connecticut giving exclusive rights to her citizens as to oyster beds, and best protect and advance the interests of our citizens in that regard," and thereafter the Legislature, by chapter 323 of the Laws of 1874, appropriated the sum of \$1,000 to pay the expenses of such proceedings; and,

Whereas, The early determination of the questions referred to in said resolution is of large importance, and seriously affects a business interest upon which thousands of the people of this State depend for their support; therefore,

Resolved, That the Attorney-General be requested to communicate to this House, at his earliest convenience, information as to the steps which have been taken by him to carry into effect the above resolution of 1874, and the prospects of a speedy adjudication of the questions involved.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Prince,

Resolved, That the seats in the rear of the Assembly chamber be reserved for the use of ladies and the gentlemen accompanying them.

Mr. Seward offered for the consideration of the House resolutions, in the words following:

Resolved (if the Senate concur), That sections 2 and 3 of article 3 of the Constitution, be amended so as to read as follows:

"§ 2. The Senate shall consist of thirty-two members. The Senators shall be chosen for four years.

"§ 3. The State is divided into eight districts, to be known as Senate districts, each of which shall choose four senators.

"The first district consists of the counties of Richmond, Kings, Queens and Suffolk.

"The second district consists of that part of the city and county of New York, situate south of a line drawn through the middle of Twenty-sixth street from the Hudson river to the East river.

"The third district consists of that part of the city and county of New

York, situate north of a line drawn through the middle of Twenty-sixth street from the Hudson river to the East river, and of the counties of Westchester, Putnam and Rockland.

"The fourth district consists of the counties of Dutchess, Columbia, Orange, Sullivan, Ulster, Greene, Schoharie, Albany and Schenectady.

"The fifth district consists of the counties of Rensselaer, Washington, Saratoga, Warren, Essex, Clinton, Franklin, St. Lawrence, Herkimer, Montgomery, Hamilton, Fulton and Lewis.

"The sixth district consists of the counties of Delaware, Otsego, Broome, Chenango, Madison, Cortland, Tioga, Tompkins, Chemung, Schuyler, Steuben, Allegany, Yates and Seneca.

"The seventh district consists of the counties of Jefferson, Oswego, Oneida, Onondaga, Cayuga, Wayne, Ontario and Livingston.

"The eighth district consists of the counties of Monroe, Orleans, Genesee, Wyoming, Niagara, Erie, Cattaraugus and Chautauqua.

"So soon as the Senate first elected under the provisions of this article shall meet, it shall cause the Senators from each district to be divided, by lot, into four classes of one in each class, the classes to be numbered first, second, third and fourth. The seats of Senators of the first class shall be vacated at the end of the first year; of the second class, at the end of the second year; of the third class, at the end of the third year; of the fourth class, at the end of the fourth year; and after the first election there shall annually be elected one Senator in each Senate district.

"The Senators who shall have been elected at the time this section takes effect, shall hold their office to and including the thirty-first day of December thereafter."

Resolved (if the Senate concur) That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section 1 of article 13 of the Constitution it be published for three months previous to the time of such election.

Resolved (if the Senate concur) That article 5 of the Constitution be amended so as to read as follows:

"ARTICLE V.

"§ 1. The Comptroller shall be chosen at the same general election, and for the same term, as the Governor, and shall receive a salary of six thousand dollars a year. The person holding the office at the time when this section shall take effect shall continue to hold the same until the first day of January next succeeding the first election of Comptroller, pursuant to the provisions hereof, and shall receive the salary herein named for such time as he may hold the office beyond the term for which he shall have been elected.

"§ 2. The Secretary of State, Attorney-General and State Engineer and Surveyor shall be appointed by the Governor, with the consent of the Senate, and hold their offices until the end of the term of the Governor by whom they shall be nominated, and until their successors are appointed. No person shall be appointed State Engineer and Surveyor who is not a practical engineer.

"§ 3. A Superintendent of State Prisons shall be appointed by the Governor, with the consent of the Senate, and hold his office for five years, unless sooner removed; he shall give security in such amount and with such sureties as shall be required by law for the faithful discharge

of his duties; he shall have the superintendence, management and control of the State prisons, subject to such laws as now exist or may hereafter be enacted; he shall appoint the agents, wardens, physicians and chaplains of the prisons. The agent and warden of each prison shall appoint all other officers of such prison, except the clerk, subject to the approval of the same by the superintendent. The Comptroller shall appoint the clerks of the prisons. The Superintendent shall have all the powers and perform all the duties not inconsistent herewith which have heretofore been had and performed by the Inspectors of State Prisons; and from and after the time when such Superintendent of State Prisons shall have been appointed and qualified, the office of Inspector of State Prisons shall be and is hereby abolished. The Governor may remove the Superintendent for cause at any time, giving to him a copy of the charges against him, and an opportunity to be heard in his defense."

[The foregoing section is in lieu of section 4 of existing Constitution.]

"§ 4. The Treasurer shall be chosen by the Senate and Assembly in joint ballot, and hold his office for three years, and until his successor shall be chosen and qualified. He shall, before entering upon the duties of his office, give such security as may be required by law. He may be suspended from office by the Governor during the recess of the Legislature, and until thirty days after the commencement of the next session of the Legislature, whenever it shall appear to him that such Treasurer has, in any particular, violated his duty. The Governor shall appoint a competent person to discharge the duties of the office during such suspension of the Treasurer.

"§ 5. The Comptroller, Secretary of State, Attorney-General, Treasurer, and State Engineer and Surveyor shall be the Commissioners of the Land Office. The office of Commissioner of the Canal Fund is abolished, and all the powers and duties heretofore had or performed by the Commissioners of the Canal Fund shall hereafter be had and performed by the Comptroller. The Canal Board shall consist of the Lieutenant-Governor, Secretary of State, Treasurer, Attorney General, State Engineer and Surveyor, and Superintendent of Public Works."

[The next three sections are in lieu of section three of existing Constitution.]

"§ 6. A Superintendent of Public Works shall be appointed by the Governor, with the consent of the Senate, and hold his office until the end of the term of the Governor, by whom he was nominated, and until his successor is appointed. He shall receive for his services a compensation to be fixed by law. He shall be required by law to give security for the faithful execution of his office before entering upon the duties thereof. He shall be charged with the execution of all laws relating to the repair and navigation of the canals; and also of those relating to the construction and improvement of the canals, except so far as the execution of the laws relating to such construction or improvement shall be confided to the State Engineer and Surveyor; subject to the control of the Legislature, he shall make the rules and regulations for the navigation or use of the canals. He may be suspended or removed from office by the Governor, whenever, in his judgment, the public interest shall so require; but in case of the removal of such Superintendent of Public Works from office, the Governor shall file with the Secretary of State a statement of the cause of such removal, and shall report such removal and the cause thereof to the Legislature at its next session.

“§ 7. The Superintendent of public works shall appoint not more than three assistant superintendents, whose duties shall be prescribed by him, subject to modification by the Legislature, and who shall receive for their services a compensation to be fixed by law. They shall hold their office for three years, subject to suspension or removal by the Superintendent of Public Works whenever, in his judgment, the public interest shall so require. Any vacancy in the office of any such assistant superintendent shall be filled for the remainder of the term for which he was appointed by the Superintendent of Public Works; but in case of the suspension or removal of any such assistant superintendent by him, he shall at once report to the Governor, in writing, the cause of such removal. All other persons employed in the care and management of the canals, except collectors of tolls, and those in the department of the State Engineer and Surveyor, shall be appointed by the Superintendent of Public Works, and be subject to suspension or removal by him.

“§ 8. The office of Canal Commissioner is abolished from and after the appointment and qualification of the Superintendent of Public Works, until which time the Canal Commissioners shall continue to discharge their duties as now provided by law. The Superintendent of Public Works shall perform all the duties of the Canal Commissioners and Board of Canal Commissioners, as now declared by law, until otherwise provided by the Legislature.

“§ 9. The Governor; by and with the consent of the Senate, shall have power to fill vacancies in the offices in this article named, except as therein otherwise provided; or, if the Senate be not in session, he may grant commissions which shall expire at the end of the next succeeding session of the Senate.

“§ 10. The Secretary of State, Attorney-General, State Engineer and Surveyor and Treasurer, in office at the time this article shall take effect, shall hold their offices until their successors are appointed.

“§ 11. The powers and duties of the respective boards and of the several officers in this article mentioned shall, except as herein otherwise provided, be such as now are or hereafter may be prescribed by law.

“§ 12. All offices for the weighing, gauging, measuring, culling or inspecting any merchandise, produce, manufacture or commodity whatever, are hereby abolished, and no such office shall hereafter be created by law; but nothing in this section contained shall abrogate any office created for the purpose of protecting the public health or the interests of the State in its property, revenue, tolls or purchases, or of supplying the people with correct standards of weights and measures, or shall prevent the creation of any office for such purposes hereafter.

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section 1 of article 13 of the Constitution, it be published for three months previous to the time of such election.

Ordered, That said resolutions be referred to the committee on the judiciary.

On motion of Mr. Waehner, at 11 o'clock and 22 minutes, the House adjourned.

TUESDAY, JANUARY 12, 1875.

The House met pursuant to adjournment.

Prayer by Rev. J. Livingston Reese.

The journal of Wednesday, Jan. 6, was read and approved.

Mr. Speaker presented certified copies of the statements and determinations of the State Canvassers in relation to the amendments to the State Constitution, submitted to vote of the people at the general election held November 3, 1874, from the Secretary of State; which were laid on the table and ordered printed.

(See Doc. No. 15.)

Also, the annual report of the commissioners appointed under the provisions of chapter 600, Laws of 1873, for the erection of a State Reformatory at Elmira; which was laid on the table and ordered printed.

(See Doc. No. 11.)

Also, the thirty-ninth annual report of the managers of the New York Institution for the Blind; which was laid on the table and ordered printed.

(See Doc. No. 14.)

Also, a communication from his Excellency the Governor, transmitting the report of the captain of the port of New York; which was laid on the table and ordered printed.

(See Doc. No. 8.)

Also, the annual report of the Auditor of the Canal Department, showing the expenditures on the canals for the fiscal year ending on the 30th September, 1874; which was laid on the table and ordered printed.

(See Doc. No. 4.)

This being the day assigned by the rules for the consideration of general orders,

On motion of Mr. Sherman, and by unanimous consent, said order of business was laid on the table.

By unanimous consent, Mr. Daly offered for the consideration of the House a resolution, in the words following:

Resolved, That subdivision 35 of rule 15 be amended so as to read as follows: "General, local and special laws, to consist of nine members."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent, Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of the Assembly be authorized and directed to cause the erection and construction of a room on the space between the Capitol wall and Clerk's room, for the use of the financial clerk, and to reconstruct as originally made the Clerk's desk at the left hand of the reading desk.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Vosburgh introduced a bill entitled "An act to authorize the city of Albany to issue its bonds to procure means to pay in part for

the erection of an edifice for a public high school," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Holmes introduced a bill entitled "An act to repeal an act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns to be applied toward the payment of the interest or principal of certain town bonds, passed April 29, 1874, and to suspend the collection of taxes assessed under the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Fay introduced a bill entitled "An act to exempt from taxation the Gloversville and Northville Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. T. J. Campbell introduced a bill entitled "An act to amend the charter of the American Institute of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McAfee introduced a bill entitled "An act to authorize the mayor, aldermen and commonalty of the city of New York to take for the use of the State the land at Ward's Island between high and low water marks adjoining the upland, now held by the mayor, aldermen and commonalty of the city of New York, and to provide means for ascertaining the compensation to be paid for said lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to authorize the mayor, aldermen and commonalty of the city of New York to take for their use the island known as 'Sunken Meadows,' and to provide means for ascertaining the sum to be paid therefor, in case any person shall establish a title to the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Comstock introduced a bill entitled "An act relating to willful neglect of duty and violation of law by town, city or county officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Prince introduced a bill entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof and for appeals therefrom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a memorial on the same subject, which was referred to the same committee.

Mr. Schuyler introduced a bill entitled "An act to incorporate the 'Navasink Club,' for social and recreative purposes," which was read

the first time, and by unanimous consent was also read the second time and referred to the committee on general, local and special laws.

Mr. Sheil introduced a bill entitled "An act to authorize the towns and villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Witbeck introduced a bill entitled "An act to extend the time for the completion of the act to authorize the construction of a railroad from at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Prince presented a petition of veteran soldiers for the passage of a resolution relative to the soldiers' homestead law; which was read and referred to the committee on the militia.

Mr. Bishop presented a petition of D. O. Hancock and others praying for a law to be passed so that one general term of the supreme court shall be held every year at the city of Binghamton in and for the third judicial department of the State; which was read and referred to the committee on the judiciary.

Mr. Kshinka presented a petition of Roman Albert, an alien in 1857, but now a citizen of the United States, to take and hold lands devised to him; which was read and referred to the committee on petitions of aliens.

Mr. Schuyler presented a petition relative to general terms of the supreme court in the third judicial department; which was read and referred to the committee on the judiciary.

Mr. Prince offered for the consideration of the House a resolution, in the words following:

Whereas, By the United States homestead law of 1872 those entitled to its privileges are obliged to settle on the land selected by them within six months after such selection; and,

Whereas, By reason of this provision a large majority of soldiers, wishing to avail themselves of said law, are virtually deprived of all its benefits, including those who are at present pecuniarily unable to move west, those who have children too small to withstand the hardships of a new country, or of an age when such removal would deprive them of necessary educational facilities, those who are engaged in business which they cannot immediately leave without special loss, and those who, for other reasons, are not able to make so important a change for some time to come; the whole of whom, by reason of such delay in removal, would find all desirable and conveniently located land already taken up; therefore, in order to meet these numerous cases, and that those whose valor and sacrifices preserved to the nation all its territory may have the benefit of a small portion for actual settlement and the support of their families,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to favor with their influence and their votes the passage of an amendment to the homestead law extending the time for the actual occupation of land selected by soldiers to ten years from the time of such selection.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

Mr. Hess offered for the consideration of the House a resolution, in the words following:

Whereas, The work heretofore carried on to remove the obstructions in the East and Harlem rivers at Hell Gate, in the city of New York, has been retarded and delayed; and

Whereas, Said obstructions are a serious detriment to the safe navigation of the Harlem and East rivers and a great drawback to the commerce of the city of New York; therefore

Resolved (if the Senate concur), That the Congress of the United States be respectfully requested to make such appropriations of the public moneys as may from time to time be necessary for the speedy completion of the work of removing the obstructions of the Harlem and East rivers, in the State of New York, and that the proper authorities be directed to vigorously prosecute the same.

Resolved, That a copy of the foregoing resolutions be forwarded to the Senators and Representatives in Congress from this State.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of Harlem river and Spuyten Duyvil creek, from the North river to the East river, through the Harlem Kills, so as to afford a safe and convenient channel for vessels of all classes navigating the North river, and bound for ports on the East river, Long Island sound, and in the Eastern States; thus shortening the distance of the travel between the North river and the waters of the sound, and of a large portion of the city of Brooklyn, lying in the East river; and between the North river and the Eastern States by more than twenty miles around the Battery, of the tedious, expensive and unsafe navigation of the waters that skirt the city, and thus avoiding the dangerous passage through Hell Gate; therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early appropriation of the amount necessary and requisite for such improvement.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

Mr. Worth offered for the consideration of the House a resolution, in the words following:

Resolved, That the keeper of the Capitol be directed to erect a railing separating the entrance of the cloak-room and the Assembly chamber.

Ordered, That said resolution be referred to the committee on expenditures of the House.

On motion of Mr. Husted, the House then resolved itself into a committee of the whole on the annual message of the Governor.

After some time spent therein, Mr. Speaker resumed the chair, and Mr. Husted, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Daly moved that the same be made a special order for Wednesday evening, the 20th inst., and that a session of this House be held for that purpose.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, {
ALBANY, *January 12, 1875.* }

To the Legislature:

On your re-assembling I deem it to be my duty to invite your attention to the grave events which have happened in our sister state of Louisiana. The interval of your adjournment has afforded you an opportunity to receive the statements of the parties concerned in those occurrences, particularly that of Lieutenant-General Sheridan, in his official report to the secretary of war, dated January 8, 1875. You are now enabled to know with certainty all the facts necessary to form a just and deliberate judgment as to the nature of the principal acts which have created so much public excitement.

According to the official report of Lieutenant-General Sheridan, the United States soldiers entered the house of representatives of the state of Louisiana, while that body was in session, and removed from it five of its members.

The pretexts for this act are:

First—That it was done under directions from the governor of the state, recognized by the president.

Second—That the persons removed “had been illegally seated,” and “had no legal right to be there.”

Third—That a fear existed in the mind of Lieutenant-General Sheridan that, in some undefined contingency, violence might happen.

With respect to the *first* and *second* of these pretexts, it is a decisive answer—that the Louisiana house of representatives had, by the constitution of that state, the exclusive judgment as to the right of these members to seats; that its judgment is subject to no review by any judicial authority, still less a review by the governor or by any officer of the United States army; that its judgment in favor of these members thus forcibly removed is binding in law and conclusive upon the governor and Lieutenant-General Sheridan, and upon every other person.

In respect to the *third* pretext, the fear in the mind of Lieutenant-General Sheridan of possible future violence, where no violence really existed, is not only no lawful occasion but not even an excuse for an invasion of the right of the house of representatives of Louisiana to judge for itself of the title to seats of its own members.

Interference by United States soldiers was not only unlawful, but it was without the color of legality. It was an act of naked physical force in violation of the laws and constitution of Louisiana and of the laws and constitution of the United States.

There is a case of a disputed seat in the senate of this state now pending. Another was determined at the last session. The transaction in Louisiana is as if, at the instance of the governor of this state, General Hancock, commanding in this department, or an officer specially deputed by the president should send a file of federal soldiers and remove the incumbent to whom the seat had been adjudged by the senate. That disorders have formerly existed in Louisiana makes no difference. For the laws—to which the president and congress are parties—recognize the complete restoration of her autonomy. The right of her legislative bodies to determine the title of their

members is as perfect and absolute as the right of the assembly or the senate of New York.

The animus of the transaction, as indicated by the correspondence between Lieutenant-General Sheridan and the secretary of war, is infinitely worse than the transaction itself. On the day after the event, Lieutenant-General Sheridan sent a dispatch proposing that a class of citizens, indefinite in numbers and description, should be declared, either by act of congress or by proclamation of the president, to be banditti; and then intimates his purpose to try them and execute them by military commission. On the next day, General Belknap, the secretary of war, telegraphed to General Sheridan that "The president and all of us have full confidence in and thoroughly approve your course."

The nature of the acts thus proposed by the officer second in command of the army of the United States, and thus adopted and sanctioned by the president and his constitutional advisers is plainly declared by the common law.

In the recent case of the *Queen v. Nelson and Brand*, the present lord chief justice of England, in delivering the charge to the grand jury, declared that "supposing that there is no jurisdiction at all, that the whole proceeding is *coram non judice*, that the judicial functions are exercised by persons who have no judicial authority or power, and a man's life is taken, that is murder: for murder is putting a man to death without a justification, or without any of those mitigating circumstances which reduce the crime of murder to one of a lower degree. Thus, in the case put by Lord Coke of a lieutenant having a commission of martial law, who puts a man to death by martial law in times of peace, that, says Lord Coke, is murder."

Such are the established doctrines of the jurists and courts of this country and of England. Such is the voice of common law — glorious jurisprudence of freedom! birthright of every American citizen! Its stern logic declares that such an execution of any human being, as was proposed and sanctioned in this correspondence, would be murder by our laws; and that every functionary — civil or military — who should instigate it, aid or abet it, or become, in any manner, a party to it before the fact, would be guilty, as a principal, in that crime.

The patriot-statesmen who achieved our national independence, and formed our institutions of free government, foreboded if we should ever fall in intestine strife, that the ideas it would inspire in military minds — of insubordination to the laws and of uncivic ambition — and the habit it would generate in the people — of acquiescence in acts of unlawful military violence — would imperil, if not destroy, civil liberty. Events compelled us to a manly choice of confronting these dangers in a struggle to save our country from dismemberment, and to vindicate the just rights of the federal union. Having triumphed in that struggle now forever closed, we are made sensible of the wise foresight of the founders of our freedom in their warning of the opposite dangers which would attend our success. Those dangers come to us, in acts of illegal military violence, committed in times of peace — in the usurpation by the soldiery of a power to decide the membership of our legislative assemblies, whose right to judge exclusively in such cases, has ever been guarded with peculiar jealousy by our race — in the proposal, made and accepted by our highest civil and military function-

aries — to subject our citizens to tribunals in which a military officer will decide without appeal what persons, happening to be found in the locality, shall be sent to them for trial — will appoint the members of the court — will review and confirm or change the judgment and the sentence — and may order instant execution; and in which the accused will be tried in secret and without counsel for his defense. This proposition is thus made, and thus sanctioned — notwithstanding that, for similar acts, our English ancestors sent the first Charles to the scaffold and expelled the second James from the throne; and our own forefathers — exiled by kindred tyrannies and planting freedom in the wilderness — were careful to insert in our constitution, positive prohibitions against the application to any but military persons of such tribunals.

Unless such proposition, so made and so sanctioned, shall be condemned by a public reprobation which will make it memorable as a warning to all future officers of the state and the army — the decay of the jealous spirit of freedom — the loss of our ancestral traditions of liberty acquired through ages of conflict and sacrifice; the education of the present generation to servile acquiescence in the maxims and the practices of tyranny, will have realized the fears of Washington, and Jay and Clinton and their compatriots.

New York, first of the commonwealths of the American union, in population, in resources, and in military power, should declare her sentiments on this occasion, with a distinctness, a dignity and a solemn emphasis, which will command the thoughtful attention of congress, of her sister states and of the people of our whole country. With the same unanimity with which she upheld the army of the union in the past conflict, she now addresses herself to the great and most sacred duty of re-establishing civil liberty and the personal rights of individuals — of restoring the ideas and habits of freedom, and of re-asserting the supremacy of the civil authority over the military power throughout the republic.

SAMUEL J. TILDEN.

Mr. Daly offered for the consideration of the House a resolution, in the words following:

Resolved, That a committee of five be appointed to draft suitable resolutions expressive of the sense of this Legislature on the recent Louisiana outrage.

Debate was had thereon, when

Mr. Alvord moved that said resolution and message be laid on the table until to-morrow morning, and that the same be ordered printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A communication was received from the Secretary of State, in the words following:

STATE OF NEW YORK,
OFFICE OF SECRETARY OF STATE, }
ALBANY, *January 12, 1875.*

It is hereby certified that Michael O'Keefe, member of Assembly for the seventh Assembly district of the county of Kings, this day took and subscribed the constitutional oath of office as a member of Assembly before me, which oath of office remains on file in this office.

GEORGE FRANKLIN,
Deputy Secretary of State.

Mr. Speaker announced the following standing committees:

On Ways and Means.

Mr. Hammond, of Ontario;	Mr. Daly, of New York;
Davis, of Washington;	Husted, of Westchester;
Talmadge, of Kings;	Alvord, of Onondaga;
Johnson, of Oswego;	W. Miller, of Herkimer.
Vosburgh, of Albany;	

On Judiciary.

Mr. Waehner, of New York;	Mr. Sheil, of Westchester;
Kennaday, of Kings;	Prince, of Queens;
Hammond, of Ontario;	Vedder, of Cattaraugus;
Benedict, of Schenectady;	Struble of Yates.
Dessar, of New York;	

On Affairs of Cities.

Mr. Daly, of New York;	Mr. Kirk, of New York;
G. Taylor, of Monroe;	Worth, of Kings;
McGroarty, of Kings;	Braman, of Albany;
T. J. Campbell, of New York;	Hess, of New York.
Cleary, of Rensselaer;	

On Canals.

Mr. Page, of Oswego;	Mr. Ransom, of Erie;
Cole, of Monroe;	Alvord, of Onondaga;
Davis, of Washington;	Miller, of Herkimer;
Kshinka, of Albany;	Lillybridge, of Oneida.
Hogan, of Seneca;	

On Commerce and Navigation.

Mr. Oakley, of Queens;	Mr. Silverman, of Kings;
Fream, of Ulster;	Smith, of New York;
Hanrahan, of Erie;	Clark, of Wayne;
Vosburgh, of Albany;	Daggert, of Oswego.
Christopher, of Putnam;	

On Railroads.

Mr. Mackin, of Dutchess;	Mr. Bennett, of New York;
Stephens, of Richmond;	Coffee, of Kings;
Muller, of New York;	Stacy, of Allegany;
Schenck, of Montgomery;	Badger, of Franklin.
Fish, of Schuyler;	

On Insurance.

Mr. Faulkner, of Livingston;	Mr. Costigan, of New York;
Oakley, of Queens;	Husted, of Westchester;
Talmadge, of Kings;	Farrar, of Columbia;
Ives, of Oneida;	Calkins, of Essex.
Brown, of Rockland;	

On Claims.

Mr. Coffee, of Kings;	Mr. Witbeck, of Rensselaer;
Barkley, of Greene;	Lincoln, of Ontario;
Cole, of Monroe;	Sherwood, of Broome;
Edson, of Chautauqua;	Comstock, of Niagara.
Pierson, of Steuben;	

On Roads and Bridges.

Mr. Ely, of Otsego;	Mr. Merwin, of Lewis;
Fish, of Schuyler;	Petty, of Suffolk;
Edson, of Chautauqua;	Law, of Washington;
Griffin, of Warren;	Bordwell, of Niagara.
O'Keefe, of Kings;	

On Affairs of Villages.

Mr. Stephens, of Richmond;	Mr. Lewis, of Oneida;
Mackin, of Dutchess;	Barrow, of Onondaga;
Scudder, of Cattaraugus;	Hussey, of Cayuga;
Schieffelin, of Westchester;	Hepburn, of St. Lawrence.
Wenzel, of Sullivan;	

On Internal Affairs.

Mr. W. Johnson, of Oswego;	Mr. Rich, of Monroe;
Shattuck, of Steuben;	Yost, of Jefferson;
Beardsley, of Cayuga;	Gallagher, of Erie;
Roscoe, of Schoharie;	Decker, of Delaware.
Stauf, of New York;	

On Charitable and Religious Societies.

Mr. Kirk, of New York;	Mr. Reilly, of New York;
Kshinka, of Albany;	Tewksbury, of Wyoming;
Miller, of Orange;	Seward, of New York;
Cooke, of Otsego;	Burtis, of Kings.
Holmes, of Chenango;	

On Public Printing.

Mr. Friend, of Orange;	Mr. Bradley, of Kings;
Hammond, of Ontario;	West, of Saratoga;
Broas, of Dutchess;	Braman, of Albany;
Costigan, of New York;	Lawson, of Erie.
Schuyler, of Tompkins;	

On Banks.

Mr. Schuyler, of Tompkins;	Mr. Silverman, of Kings;
Shattuck, of Steuben;	McAfee, of New York;
J. W. Miller, of Orange;	Comstock, of Niagara,
Berry, of Madison;	Fay, of Fulton and Hamilton.
T. C. Campbell, of New York;	

On Trade and Manufactures.

Mr. Cleary, of Rensselaer;
Keenan, of New York;
Rich, of Monroe;
Holmes, of Chenango;
Broas, of Dutchess;

Mr. Griffin, of Warren;
West, of Saratoga;
Pope, of St. Lawrence;
Bishop, of Tioga.

On Militia.

Mr. Vosburgh, of Albany;
Cooke, of Otsego;
Schenck, of Montgomery;
Beach, of New York;
Beardsley, of Cayuga;

Mr. Ives, of Oneida;
Husted, of Westchester;
McAfee, of New York;
Taylor, of Rensselaer.

On Agriculture.

Mr. Shattuck, of Steuben;
Scudder, of Cattaraugus;
Merwin, of Lewis;
Berry, of Madison;

Mr. Witbeck, of Rensselaer;
Sanford, of St. Lawrence;
Tewksbury, of Wyoming.

On State Prisons.

Mr. Sherman, of Oneida;
Beardsley, of Cayuga;
Lawrence, of Columbia;
Sheil, of Westchester;

Mr. Ransom, of Erie;
Gedney, of New York;
Bowen, of Clinton.

On Public Education.

Mr. G. Taylor, of Monroe;
Hogan, of Seneca;
Bennett, of New York;
Benedict, of Schenectady;
Faulkner, of Livingston;

Mr. Friend, of Orange;
Whitmore, of Cortland;
Hepburn, of St. Lawrence;
Burtis, of Kings.

On Grievances.

Mr. Krack, of Ulster;
Hanrahan, of Erie;
Ely, of Otsego;
Lewis, of Oneida;

Mr. Roscoe, of Schoharie;
Farrar, of Columbia;
Petty, of Suffolk.

On Public Health.

Mr. Wurtz, of Ulster;
Kshinka, of Albany;
Beach, of New York;
Fish, of Schuyler;
O'Keefe, of Kings;

Mr. Hauschel, of New York;
Stacy, of Allegany;
Houghton, of Saratoga;
Hinckley, of Chautauqua.

On Manufacture of Salt.

Mr. Ransom, of Erie;
Lawrence, of Columbia;
Barkley, of Green;
Muller, of New York;

Mr. Pierson, of Steuben;
Wetherbee, of Orleans;
Houghton, of Saratoga.

On State Charitable Institutions.

Mr. T. J. Campbell, of New York; Mr. Page, of Oswego;
 Mackin, of Dutchess; Pope, of St. Lawrence;
 Friend, of Orange; Green, of Genesee.
 Brogan, of New York;

On Petitions of Aliens.

Mr. Edson, of Chautauqua; Mr. Wurts, of Ulster;
 Brown, of Rockland; Peck, of Jefferson;
 Dessar, of New York; W. A. Johnson, of Erie.
 Bradley, of Kings;

On Civil Divisions.

Mr. Christopher, of Putnam; Mr. Pierson, of Steuben;
 Fream, of Ulster; Fay, of Fulton and Hamilton.
 Smith, of New York; Willis, of Delaware.
 Lewis, of Oneida;

On Federal Relations.

Mr. Hauschel, of New York; Mr. McGowan, of New York;
 McGroarty, of Kings; Sanford, of St. Lawrence;
 Brown, of Rockland; Russell, of Wayne;
 Benedict, of Schenectady; Gedney, of New York.
 Schieffelin, of Westchester;

On Two-thirds and Three-fifths Bills.

Mr. Muller, of New York; Mr. Worth, of Kings;
 Wurts, of Ulster; Merwin, of Lewis;
 Ely, of Otsego; Slingerland, of Albany.
 Hanrahan, of Erie;

On Expenditures of Executive Department.

Mr. McGowan, of New York; Mr. Braman, of Albany;
 Keenan, of New York; Faulkner, of Livingston;
 Wenzel, of Sullivan; Calkins, of Essex.
 Barkley, of Greene;

On Expenditures of the House.

Mr. Berry, of Madison; Mr. Bradley, of Kings;
 Krack, of Ulster; Law, of Washington;
 Scudder, of Cattaraugus; Lillybridge, of Oneida.
 Brogan, of New York;

On Indian Affairs.

Mr. Lawrence, of Columbia; Mr. Oakley, of Queens;
 Stauf, of New York; Vedder, of Cattaraugus;
 Cole, of Monroe; Green, of Genesee.
 Ives, of Oneida;

On Public Lands.

Mr. Keenan, of New York;	Mr. Clark, of Wayne;
Broas, of Dutchess;	Griffin, of Warren;
Stephens, of Richmond;	Tremain, of Onondaga.
G. Taylor, of Monroe;	

On Engrossed Bills.

Mr. Talmadge, of Kings;	Mr. Waehner, of New York;
Brogan, of New York;	Miller, of Herkimer;
Fream, of Ulster;	Barrow, of Onondaga.
Cooke, of Otsego;	

On Joint Library.

Mr. Sheil, of Westchester;	Mr. Bishop, of Tioga;
Beach, of New York;	Whitmore, of Cortland.
Hogan, of Seneca;	

On Privileges and Elections.

Mr. Davis, of Washington;	Mr. Holmes, of Chenango.
Hauschel, of New York;	Hussey, of Cayuga;
Kennaday, of Kings;	Lawson, of Erie.
Cleary, of Rensselaer;	

On General, Local and Special Laws.

Mr. Kennaday, of Kings;	Mr. McGowan, of New York;
T. C. Campbell, of New York;	Prince, of Queens;
Schieffelin, of Westchester;	Alvord, of Onondaga;
Sherman, of Oneida;	Seward, of New York.
Schuyler, of Tompkins;	

On Rules.

Mr. Sherman, of Oneida;	Mr. Alvord, of Onondaga;
Daly, of New York;	Husted, of Westchester.
Kirk, of New York;	

On Sub-Committee of the Whole.

Mr. McGroarty, of Kings;	Mr. Tremain, of Onondaga;
Muller, of New York;	Daggett, of Oswego;
Dessar, of New York;	Wellington, of Madison;
Christopher, of Putnam;	Ely, of Otsego;
Roscoe, of Schoharie;	Lincoln, of Ontario;
Wenzel, of Sullivan;	Rich, of Monroe;
Badger, of Franklin;	Bordwell, of Niagara;
Bowen, of Clinton;	Hanrahan, of Erie.

On motion of Mr. T. J. Campbell, at 12 o'clock, the House adjourned.

WEDNESDAY, JANUARY 13, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Love.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That 2,500 copies of the Governor's message in paper covers, and 250 copies thereof bound in cloth, be printed for the use of the Executive Department.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented the annual report of the Inspectors of State Prisons; which was laid on the table and ordered printed.

(See *Doc. No. 18.*)

Mr. W. Miller introduced a bill entitled "An act to amend the charter of the Farm Buildings Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. McGroarty introduced a bill entitled "An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burtis introduced a bill entitled "An act for the better suppression of vice and of obscene literature," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. McAfee introduced a bill entitled "An act to amend an act entitled 'An act to protect purchasers on sales of real estate of infants by special guardian prior to January 1st, 1852,' passed May 6, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Costigan introduced a bill entitled "An act in relation to common schools in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. W. Johnson introduced a bill entitled "An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Christopher introduced a bill entitled "An act to authorize the election of town auditors in the several towns of the county of Putnam, and to prescribe their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Clark introduced a bill entitled "An act to authorize the election

of a police justice in the village of Wolcott, Wayne county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wenzel introduced a bill entitled "An act to release to Jane Barry the title of the people of the State of New York in and to certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

Mr. Struble introduced a bill entitled "An act declaring and establishing the rights and liabilities of married women," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lincoln introduced a bill entitled "An act to amend the charter of the village of Canandaigua, Ontario county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Yost introduced a bill entitled "An act regulating the forfeiture of life insurance policies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Hammond introduced a bill entitled "An act in relation to county treasurers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Friend introduced a bill entitled "An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Husted introduced a bill entitled "An act for the better enforcement of certain penal laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to incorporate the Society for the Prevention of Cruelty to Children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Sherman presented a petition of the board of supervisors of Oneida county, asking for an amendment of the law relating to the equalization of assessed valuation of real estate; which was read and referred to the committee on ways and means.

Also, the memorial of the common council of Utica, praying for repeal of "An act to establish a board of police and fire commissioners of the city of Utica;" which was read and referred to the committee on affairs of cities.

Mr. Prince presented a petition of veteran soldiers in favor of a resolution relative to the soldiers' homestead act; which was read and referred to the committee on militia.

Mr. Ives presented a memorial of the common council of Utica praying for the extension of the western boundary of that city; which was read and referred to the committee on affairs of cities.

Mr. Wenzel presented a petition relative to an act to release the title of the people of the State of New York to James Barry of certain real

estate; which was read and referred to the committee on petitions of aliens.

Mr. Prince offered for the consideration of the House a resolution, in the words following:

Whereas, The Hon. Stephen J. Colahan, elected as a member of this House from the county of Kings, and a member of the Legislature of 1874, died before the time for the organization of the present Legislature, and this removal from our midst of one who but for this dispensation would have been an active co-laborer in the work of legislation, seems to call for an expression of the feeling of the House; therefore,

Resolved, That a committee of five be appointed by the Speaker to draft resolutions expressive of the sentiment of this House relative to the decease of Hon. Stephen J. Colahan, with power to report at any time.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Prince, McGroarty, Kennaday, Hammond and Worth.

Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk be authorized to furnish each member and reporter of the House with a copy of the Red Book or Manual for 1874, and twenty-five additional copies for the use of the Clerk's desk.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

On motion of Mr. Waehner,

Whereas, No proper room exists in the Capitol building for the use of the judiciary committee; therefore,

Resolved, That the Sergeant-at-arms be authorized to procure a suitable room in the vicinity of the Capitol for the use of said committee.

Mr. T. C. Campbell offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 6,000 copies of the Comptroller's report be printed, 4,000 copies for the Legislature, and 2,000 copies for the use of the Comptroller.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

Mr. McGowan offered for the consideration of the House a resolution, in the words following:

Resolved, That 2,000 copies of the report of the commissioners to revise the statutes be printed for the use of the commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. McGowan offered for the consideration of the House a resolution, in the words following:

Resolved, That 2,000 copies of the list of standing committees of the Assembly be printed for the use of the members of this House.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Worth,

Resolved, That the keeper of the capitol be directed to replace the partition between the Assembly chamber and the cloak room.

Whereas, There is no suitable accommodation within the capitol building for the sessions of the committee on general, local and special laws; therefore,

Resolved, That the Clerk of the House be empowered and directed, with the approval of the chairman of said committee, to procure suitable rooms in this city for the meetings of said committee, and to contract with the owner for the use thereof.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Edson offered for the consideration of the House a resolution, in the words following:

Resolved, That Eugene Gorham be appointed superintendent of the wrapping department.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Daly moved to take from the table the special message of the Governor on the Louisiana difficulties, and the following resolution accompanying the same:

Resolved, That a committee of five be appointed to draft suitable resolutions expressive of the sense of this Legislature on the recent Louisiana outrage.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution; and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Daly, Sherman, Hammond, Alvord and Husted.

Mr. Sherman gave notice that he would on some subsequent day move to suspend the 52d rule, in order that such resolutions as may be reported by the select committee appointed to consider the message of the Governor on the condition of the State of Louisiana, may be considered without lying over one day.

Mr. Alvord rose to a point of order, and stated that under the rules as now existing such notice was not necessary.

Mr. Speaker decided the point of order well taken.

Mr. Speaker announced the following list of reporters:

Myron H. Rooker, Associated Press; J. Wesley Smith, Albany Argus; Alexander McBride, Albany Evening Journal; M. B. Newth, New York World; W. H. Bodwell, New York Sun; T. J. Cummings, New York Herald; Ashley W. Cole, New York Times; Demarest Lloyd, New York Tribune; Dwight King, New York Evening Post; Harry Edwards, Albany Evening Times; F. W. White, Albany Morning Express; M. H. Northrup, Syracuse Courier; Moses Summers, Syracuse Standard; W. J. Evarts, Poughkeepsie News; T. J. Dyson, Brooklyn Eagle; A. H. Schram, Newburgh Telegraph; John M. Wiley, Buffalo Daily Courier; John A. Barry, Oswego Palladium; H. D. Cunningham, Utica Herald; Henry W. Beardsley, Auburn News; H. F. Payson, American Associated Press; Edward Ham, Poughkeepsie Press and New York Graphic; H. A. La Fetra, Brooklyn Daily Times.

Mr. Sheil offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed 10,000 extra copies of the Governor's message in English, and 8,000 of the same in German, for the use of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Husted, at 11 o'clock and 40 minutes, the House adjourned.

THURSDAY, JANUARY 14, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Love.

The journal of yesterday was read and approved.

Mr. Speaker presented the fourth annual report of the State Homœopathic Asylum for the Insane at Middletown; which was laid on the table and ordered printed.

(See Doc. No. 21.)

Also, the annual report of the Willard Asylum for the Insane; which was laid on the table and ordered printed.

(See Doc. No. 20.)

Also, the annual report of the superintending builder of the New York State Reformatory at Elmira; which was laid on the table and ordered printed.

(See Doc. No. 19.)

This being the day assigned by the rules for the consideration of general orders, and there being none, the House proceeded to the regular order of business.

Mr. Broas introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Rhinebeck Gas Company,' passed May 1, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Also, a bill entitled "An act to continue and extend the charter of the Dutchess County Mutual Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Calkins introduced a bill entitled "An act to authorize Edmund F. Williams and Henry Bradley, of Minerva, Essex county, New York, to construct and operate a broad gauge railroad in the towns of Minerva, in the county of Essex, and Chester, in the county of Warren," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Kennaday introduced a bill entitled "An act to incorporate the Western Railroad Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Rich introduced a bill entitled "An act to legalize the acts of the board of trustees of the village of Charlotte," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. T. J. Campbell introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 13, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. T. C. Campbell introduced a bill entitled "An act to authorize attorneys of the supreme court of this State to act as notaries public in

certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Barrow introduced a bill entitled "An act to relieve witnesses from giving security to answer for their appearance to testify, and to provide for taking their testimony to be used on certain conditions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stevens introduced a bill entitled "An act creating the office of Richmond county fire marshal, and prescribing his powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. West introduced a bill entitled "An act relative to the expenses of proceedings in certain criminal cases in the county of Saratoga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Petty introduced a bill entitled "An act to enable John L. Ireland to acquire title to a portion of South Fifth avenue in the city of New York, and to discontinue that portion of said avenue," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sheil introduced a bill entitled "An act to provide for the election of and regulating the term of certain officers of the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tewksbury introduced a bill entitled "An act to prevent the taking of fish in or from the waters of Tonawanda creek, so called, and its branches, in the counties of Wyoming and Genesee," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Camp Ground Association,' passed April 6, 1857, and also to amend an act amendatory thereto, passed March 31, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Oakley introduced a bill entitled "An act to provide for the purchase, widening and improvement for public use of the Newtown and Jamaica Plank-road, in the towns of Newtown and Jamaica, in the county of Queens, and to provide for the payment therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Hauschel introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 13, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Rich presented a petition of the trustees of the village of Charlotte, in relation to incorporation; which was read and referred to the committee on affairs of villages.

Mr. Sherman presented a petition of the supervisors of the city of Utica asking for an amendment of the 134th section of the charter of said city as amended in 1870; which was read and referred to the committee on affairs of cities.

Mr. Sherwood presented a petition of attorneys of Broome county asking that a law be passed so that at least one general term of the supreme court shall be held every year at the city of Binghamton, in and for the third judicial department of the State; which was read and referred to the committee on the judiciary.

Messrs. Wellington and Johnson presented remonstrances against the passage of a law to repeal the act of 1874 authorizing the assessment and taxation of the New York and Oswego Midland Railroad Company; which was read and referred to the committee on ways and means.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved, That 2,500 extra copies, with covers, of the annual report of the Willard Asylum for the Insane be printed for the use of the officers of the asylum.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Daly, from the majority of the select committee appointed to consider the special message of his Excellency the Governor upon the subject of the Louisiana difficulties, submitted the following resolutions, and moved their adoption, viz.:

Resolved (if the Senate concur), That the people of New York, through their representatives in the Legislature, deprecate and condemn the recent interference of the military forces of the United States in the organization of the Legislature of Louisiana as a gross violation of the constitutional rights of that State and an implied menace to the rights of other States.

Resolved (if the Senate concur), That we view with alarm the growing tendency of the general government to subordinate the civil to the military power, in total disregard of all constitutional guarantees, and even of the very spirit and essence of republican institutions.

Resolved (if the Senate concur), That we especially condemn the proposition of Lieut.-General Sheridan and its approval by the Secretary of War, in the name of the administration, to subject citizens to trial by military commission in time of peace.

JAMES DALY,
R. U. SHERMAN,
S. H. HAMMOND.

Mr. Alvord, from the minority of said committee, submitted the following resolutions, and moved them as an amendment to the report of the majority:

The undersigned, the minority of the committee to whom was referred the question of the difficulties in the State of Louisiana, beg leave to submit the following minority report:

Resolved (if the Senate concur), That we condemn military interference with legislative rights or privileges, and that we deprecate the interference of the military arm of the general government, at the suggestion or request of any one claiming to be an official of the so-called Legislature of Louisiana, or by any other authority of said State, in the organization of its legislative assembly; but still recognizing the constitutional duty of the United States, upon proper application, to protect by its troops, if necessary, the lawful authorities of the States in the discharge of their functions and against domestic violence.

Resolved (if the Senate concur), That the difficulties in the way of

peace and good government in Louisiana are only to be solved by the faithful adherence of all concerned to the respective duties prescribed them by the Constitution of the United States, which requires the President to maintain the public peace, and take care that the laws are faithfully executed; requires Congress to guaranty to Louisiana a republican form of government, and to protect its inhabitants against domestic violence, and reserves to the people of Louisiana the right to elect, maintain and obey their State authorities without intimidation, corruption or violence.

Resolved (if the Senate concur), That the Senators and Representatives of this State in Congress are requested to use their best efforts to effect a restoration of good order and untrammelled government in Louisiana upon this basis.

All of which is respectfully submitted.

January 14, 1875.

THOMAS G. ALVORD,
JAMES W. HUSTED.

By unanimous consent, the consideration of said resolutions was taken up.

Mr. Speaker announced the question to be upon the amendments of the minority of said committee.

Debate was had thereon, when

Mr. Waehner moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendments of the minority of said committee, and it was determined in the negative.

} AYES 51 {
} NOES 67 {

Those who voted in the affirmative, were

Alvord	Fay	Lillybridge	Struble
Badger	Gallagher	Lincoln	W. F. Taylor
Barrow	Gedney	McAfee	Tewksbury
Bishop	Green	Peck	Tremain
Bordwell	Hepburn	Petty	Vedder
Bowen	Hess	Pope	Wellington
Burtis	Hinckley	Prince	West
Calkins	Houghton	Russell	Wetherbee
Clark	Hussey	Sanford	Whitmore
Comstock	Husted	Seward	Willis
Daggett	W. A. Johnson	Sherwood	Worth
Decker	Law	Slingerland	Yost
Farrar	Lawson	Stacy	

Those who voted in the negative, were

Barkley	Costigan	Kennaday	Schuyler
Beach	Daly	Kirk	Scudder
Beardsley	Davis	Kshinka	Sherman
Benedict	Dessar	Lawrence	Sheil
Bennett	Edson	Lewis	Silverman
Berry	Ely	Mackin	Smith

Bradley	Faulkner	McGowan	Speaker
Broas	Fream	McGroarty	Stauf
Brogan	Friend	J. W. Miller	Stephens
Brown	Griffin	Muller	Talmadge
T. C. Campbell	Hammond	Oakley	G. Taylor
T. J. Campbell	Hanrahan	O'Keefe	Vosburgh
Christopher	Hauschel	Pierson	Waehner
Cleary	Hogan	Reilly	Wenzel
Coffey	Ives	Rich	Witbeck
Cole	W. Johnson	Schenck	Wurts
Cooke	Keenan	Schieffelin	

Mr. Speaker then announced the question to be upon the adoption of the majority report of said committee.

Mr. Speaker put the question whether the House would agree to the report of the majority of said committee, and it was determined in the affirmative.

} AYES 69 }
} NOES 51 }

Those who voted in the affirmative, were

Barkley	Daly	Kirk	Schieffelin
Beach	Davis	Krack	Schuyler
Beardsley	Dessar	Kshinka	Scudder
Benedict	Edson	Lawrence	Sherman
Bennett	Ely	Lewis	Sheil
Berry	Faulkner	Mackin	Silverman
Bradley	Fream	McGowan	Smith
Broas	Friend	McGroarty	Speaker
Brogan	Griffin	J. W. Miller	Stauf
Brown	Hammond	Muller	Stephens
T. C. Campbell	Hanrahan	Oakley	Talmadge
T. J. Campbell	Hauschel	O'Keefe	G. Taylor
Christopher	Hogan	Page	Vosburgh
Cleary	Ives	Pierson	Waehner
Coffey	W. Johnson	Reilly	Wenzel
Cole	Keenan	Rich	Witbeck
Cooke	Kennaday	Schenck	Wurts
Costigan			

Those who voted in the negative, were

Alvord	Fay	Lillybridge	Struble
Badger	Gallagher	Lincoln	W. F. Taylor
Barrow	Gedney	McAfee	Tewksbury
Bishop	Green	Peck	Tremain
Bordwell	Hepburn	Petty	Vedder
Bowen	Hess	Pope	Wellington
Burtis	Hinckley	Prince	West
Calkins	Houghton	Russell	Wetherbee
Clark	Hussey	Sanford	Whitmore
Comstock	Husted	Seward	Willis
Daggett	W. A. Johnson	Sherwood	Worth
Decker	Law	Slingerland	Yost
Farrar	Lawson	Stacy	

Leave of absence was granted to Mr. Braman indefinitely.

Mr. Alvord presented the annual report of the New York Asylum for Idiots; which was laid on the table and ordered printed.

(See Doc. No. 22.)

Mr. Alvord offered in connection therewith the following resolution:

Resolved, That 2,500 copies of the annual report of the trustees of the New York Asylum for Idiots be printed for the use of that institution.

Ordered, That said resolution be referred to the committee on public printing.

By unanimous consent, Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of this House be authorized and required, with the approbation of the chairman of the canal committee, to procure for the use of that committee suitable and proper committee rooms.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Speaker announced the following appointments:

Assistant-Sergeant-at-arms — Timothy Crough.

Postmaster — E. D. Baker.

Assistant Postmaster — Charles H. Stillwell.

Superintendent of Documents — James C. Huston.

Janitor — Samuel V. B. Swan.

Assistant Janitor — E. J. Keating.

Mail Carrier — William Dunn.

Speaker's Clerk — George P. Nelson.

Speaker's Messenger — Jesse Parker.

Assistant Doorkeepers — William Casey, Edward Gorman, John Miley, Joseph Hodes, Simeon Church, William G. Kirk, George Shoemaker, Orville Snyder.

General Messengers — Patrick F. Phelan, William Holmes, Archie H. Smith, Michael Conway, Francis T. Coleman, James Cuddy.

Pages — Leonard Drake, Thomas Earle Degan, John Moren, Thomas McKee, Willie Dennison, Philip C. Brayton, William Dunn, Edward L. Gladding, John P. Parle, Milton Gray, Edward C. Bounds, Thomas Hays, Andrew B. Herd, Francis McGuire, William Glancy, W. H. Klugman, William L. Case, William Corbett, Frederick McCloy, George A. McEwen.

On motion of Mr. T. J. Campbell, at 12 o'clock and 50 minutes, the House adjourned.

FRIDAY, JANUARY 15, 1875.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Speaker presented the annual report of the board of managers of the Buffalo State Asylum for the Insane; which was laid on the table and ordered printed.

(See Doc. No. 24.)

Also, the fifteenth annual report of the managers of the Society for the Reformation of Juvenile Delinquents; which was laid on the table and ordered printed.

(*See Doc. No. 23.*)

Also, three several memorials of the National Board of Trade, praying for the passage of a law for the incorporation of companies for the transaction of business; which were read and referred to the committee on general, local and special laws.

Also, the eighth annual report of the managers of the Hudson River State Hospital for the year 1874; which was laid on the table and ordered printed.

(*See Doc. No. 27.*)

Also, the annual report of the Institution for the Instruction of the Deaf and Dumb: which was laid on the table and ordered printed.

(*See Doc. No. 25.*)

Also, the annual report of the Superintendent of the Banking Department; which was laid on the table and ordered printed.

(*See Doc. No. 5.*)

Mr. Prince presented the Transactions of the Medical Society of the State of New York; which was laid on the table and ordered printed.

(*See Doc. No. 26.*)

Mr. Speaker administered the oath of office to the following officers of the House:

Timothy Crough, assistant sergeant-at-arms; E. D. Baker, postmaster; Samuel V. B. Swan, janitor; E. J. Keating, assistant janitor; William Dunn, mail carrier; William Casey, Edward Gorman, Joseph Hodes, William Kirk and Orville Snyder, assistant doorkeepers.

Mr. Speaker presented the following communication from the Secretary of the New York State Agricultural Society:

NEW YORK STATE AGRICULTURAL SOCIETY, }
ALBANY, *January 14, 1875.* }

The Hon. JEREMIAH MCGUIRE, *Speaker of the Assembly:*

Sir: On behalf of the executive committee I have the honor to ask the privilege of the use of the Assembly Chamber for the annual meeting of the State Agricultural Society, on Wednesday, the 20th inst., at 12 o'clock, noon, and in the evening of the same day.

I am, sir, very respectfully,

Your obedient servant,

T. L. HARISON, *Secretary.*

Mr. Alvord moved to lay said communication on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Whitmore introduced a bill entitled "An act entitled 'An act to amend the 15th subdivision of the act entitled An act to amend the act to provide for the incorporation of religious societies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Faulkner introduced a bill entitled "An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college and to enable said college to transfer its prop-

erty to said seminary for said purpose," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. T. C. Campbell introduced a bill entitled "An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes, concerning security for the payment of costs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Also, the bill entitled "An act to provide for the appointment of an additional number of notaries public for the county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waehner introduced a bill entitled "An act to regulate the sale of spirituous and fermented liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Daly introduced a bill entitled "An act to provide for the improvement of Tompkins square, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Kennaday introduced a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplemental thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Oakley introduced a bill entitled "An act to repeal chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh land,' passed June 9, 1868, and all acts in addition to and amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution empowering and directing the Clerk of the House, with the approval of the chairman of the committee on general, local and special laws, to procure a suitable room in this city for the meetings of said committee, and to contract with the owner for the use thereof; also the resolution relative to procuring rooms for the use of the committee on canals; reported in favor of the adoption of the following resolution:

Resolved, That the Clerk of the House be empowered and directed, with the approval of the chairman of said committee, to procure suitable rooms in this city for the meetings of the committees on general, local and special laws, canals, and judiciary, and to contract with the owner for the use thereof.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Prince presented a petition of veteran soldiers in favor of a resolution relative to the soldiers' bounty act; which was read and referred to the committee on militia.

Mr. Vosburgh offered for the consideration of the House a resolution, in the words following :

Resolved, That the Clerk of the Assembly, with the approbation of the chairman of the committee on commerce and navigation, procure suitable rooms for the use of said committee.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Vosburgh offered for the consideration of the House a resolution, in the words following :

Whereas, By the erection of a railing in the rear of the Assembly chamber it requires the assistance of three assistant doorkeepers ; therefore,

Resolved, That N. J. Van Schaack be and he is hereby appointed assistant doorkeeper, and that the same compensation be allowed him as to the other assistant doorkeepers, and paid in the same manner, and that such appointment continue during the session of 1875.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Beardsley offered for the consideration of the House a resolution, in the words following :

Whereas, By the erection of a railing in the rear of the Assembly Chamber an additional doorkeeper is necessary ; therefore,

Resolved, That Owen Gavigan be appointed an assistant doorkeeper, with same powers and compensation as those already appointed by the Speaker of the Assembly.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Barkley offered for the consideration of the House a resolution, in the words following :

Resolved, That John T. Huntley be elected assistant doorkeeper of the House.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Kennaday offered for the consideration of the House a resolution, in the words following :

Whereas, The committee on general, local and special laws has been formed since the enactment of the law providing for clerks and messengers of committees, and no provision is made for the appointment of a clerk or messenger to the said committee ; and,

Whereas, From the amount and nature of the work which will be imposed upon said committee it will necessarily require the services of a clerk and messenger ; therefore

Resolved, That the committee on general, local and special laws be authorized to appoint Charles H. Burtis as clerk of said committee and Minor E. Smith as messenger thereof, for and during the period of the session of this Legislature, at a compensation not to exceed five dollars per day to such clerk and three dollars per day to such messenger.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Talmadge offered for the consideration of the House a resolution, in the words following :

Whereas, The erection of the railing in the rear of the seats renders the appointment of additional gate-keepers necessary ; therefore,

Resolved, That John Moore be and he is hereby appointed gate-keeper

for the session, at a compensation of five dollars per day, compensation to commence from the date of the passage of this resolution.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Cole offered for the consideration of the House a resolution, in the words following:

Whereas, The postmaster should have additional assistance to take proper and prudent care of the mailing and express department; therefore,

Resolved, That R. B. Vose be and he is hereby appointed superintendent of the mailing and express department during the present session, at a compensation of five dollars per day.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. T. J. Campbell offered for the consideration of the House a resolution in the words following:

Whereas, The labors of the superintendent of documents comprise, among other duties, the indexing, under their proper heads, of over three thousand different numbers of bills and documents, the labeling and filing away of the same, answering the incessant calls made upon him for copies, and information relating thereto, often requiring his attendance, with short intervals, from 8 o'clock A. M. until 9 o'clock P. M., and later, when evening sessions are held, the receiving of books sent to members and distributing the same, together with the great labor attending the preparation of documents for the files of members, also, overlooking the folding department to prevent the waste usually attendant thereon, we consider it necessary for economy and convenience of members that the document department be furnished with assistance; therefore

Resolved, That James Marshall be and is hereby appointed assistant superintendent of documents, and that he be allowed the same compensation and paid in the same manner as the assistant Sergeant-at-arms, and that such appointment continue during the session of 1875.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Costigan offered for the consideration of the House a resolution, in the words following:

Resolved, That 2,000 copies of the testimony taken by the commissioners appointed by his Excellency, the late Governor, to investigate and report upon the disposition and management of the Cornell University land grant, be printed for the use of the Assembly.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

Whereas, All the doorkeepers have been assigned to positions in and around the Assembly Chamber; and,

Whereas, For the better preservation of good order additional doorkeepers are necessary; therefore,

Resolved, That Cornelius V. Simpkins, of Westchester county, Newell Hyatt, of Madison county, and Henry Johnston, of New York, be elected additional doorkeepers for the present session, with the same compensation as the doorkeepers authorized by law.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Kirk offered for the consideration of the House a resolution, in the words following :

Whereas, The labors in the Sergeant-at-arms' room as connected with the documents have increased so that the present force employed is hardly able to promptly perform them for the twelve or fifteen hours daily required, and as such labors are constantly and rapidly accumulating, we consider it necessary to comply with the request of the superintendent in charge and furnish him assistance ; therefore

Resolved, That Joseph Jennings be and is hereby appointed superintendent of documents, and that he be allowed the same compensation and paid in the same manner as the assistant Sergeant-at-arms, and that such appointment continue during the session of 1875.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Sherman offered for the consideration of the House a resolution, in the words following :

Resolved, That on Tuesday, January 19th, at 12 o'clock M., this Assembly proceed to the nomination of a United States Senator in place of Hon. Reuben E. Fenton, whose term of office expires on the fourth day of March, 1875.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sherman offered for the consideration of the House a resolution, in the words following :

Resolved, That when this House adjourns to-day, it adjourn to meet on Monday evening, 18th inst, at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Barrow offered for the consideration of the House a resolution, in the words following :

Whereas, It having been charged as matter of fact that in several of the so-called "Southern States" of the Union, and notably in the State of Louisiana, secret political organizations, with the military characteristics of officers, arms and munitions of war, have long existed and still exist ; that such organizations have been perfected without warrant of law and for unlawful purposes, and that the same have been employed in the intimidation of citizens of the United States in the exercise of the elective franchise ; in encouraging revolution and treason against lawfully constituted authorities ; in the commission of deeds of violence and bloodshed, and that their existence has been and now is a source of terror to a large portion of the citizens of such States ; and

Whereas, Such charges having been sustained by abundant evidence, and the existence and acts of such organizations having created general alarm, excitement and apprehension alike injurious to the peace and prosperity of such States and the United States ; be it

Resolved (if the Senate concur), That we condemn and denounce all such organizations as unauthorized, hateful and repulsive to the people of a free commonwealth, and that the peace and prosperity of the whole country imperatively demand the immediate suppression of such organizations ; and be it further

Resolved (if the Senate concur), That we tender the National Administration the expression of our unqualified approval of all efforts made

on its part to break up and suppress such organizations, and that we urge such administration to use all further prompt and effective measures, civil or military or both, as it constitutionally may, to the complete breaking up and disbandment of all organizations of the character referred to, and the punishment of the members thereof, pledging to the National Administration therefor our further approval, support and encouragement.

Ordered, That said resolution be referred to the committee on federal relations.

Mr. Ely offered for the consideration of the House a resolution, in the words following:

Whereas, Additional doors have been made for the Assembly Chamber since the passage of the law of 1872, fixing the number of doorkeepers, thereby necessitating the appointment of other and more assistant doorkeepers; therefore,

Resolved, That Frank Carroll be appointed assistant doorkeeper of this Assembly.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Shattuck offered for the consideration of the House a resolution, in the words following:

Resolved, That 2,500 copies of the report of the Superintendent of the New York Deaf and Dumb Institution, be printed, 1,500 of which to be for the use of the institution, and 1,000 for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Shattuck offered for the consideration of the House a resolution, in the words following:

Resolved, That James C. Hewitt, of Steuben, be appointed superintendent of the wrapping department during the session for 1875.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Pierson offered for the consideration of the House a resolution, in the words following:

Whereas, More doorkeepers are necessary than the Speaker of this House has by law a right to appoint;

Resolved, That George H. Kelinger be appointed doorkeeper of the Assembly for the year 1875, at a salary of five dollars per day while in service.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Griffin offered for the consideration of the House a resolution, in the words following:

Whereas, No doorkeepers have been assigned to take charge of the door in the rear of the Assembly Chamber; therefore,

Resolved, That Seymour C. Armstrong be elected as one of said doorkeepers, at a salary of five dollars per day.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Wurtz offered for the consideration of the House a resolution, in the words following:

Resolved, That whereas, by the erection of a railing at the rear of Assembly Chamber, it becomes necessary to have three additional doorkeepers; therefore,

Resolved, That Luther Jones be and he is hereby appointed as one of such doorkeepers, at the usual compensation.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Husted offered for the consideration of the House a resolution, in the words following :

Resolved, That the use of the Assembly Chamber be granted to the State Military Association on the evening of Wednesday, January 27.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Mackin offered for the consideration of the House a resolution, in the words following :

Whereas, The convenience of members requires that the wrapping department should be promptly attended to, and to prevent the waste usually attendant thereon, we consider it necessary that the Sergeant-at-arms should have additional assistance in that department; therefore,

Resolved, That C. L. Baxter be and is hereby appointed superintendent of the wrapping department, with the same compensation as that of general messenger.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Lawrence offered for the consideration of the House a resolution, in the words following :

Whereas, There is an insufficiency in the number of assistant doorkeepers as provided for by chapter 12 Laws of 1872, to properly take charge of the doors of the Assembly Chamber; therefore,

Resolved, That Reuben Hover be and he is hereby appointed assistant doorkeeper, and that he be paid at the rate of five dollars per diem during the remainder of the session.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Silverman offered for the consideration of the House a resolution, in the words following :

Resolved, That as the restoration of the partition between the cloak room and Assembly Chamber renders necessary an assistant doorkeeper, that P. L. Mahon be appointed to that post, with the rank and pay pertaining.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Smith called from the table the concurrent resolution previously offered by him in the words following :

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of Harlem river and Spuyten Duyvil creek, from the North river to the East river, through the Harlem Kills, so as to afford a safe and convenient channel for vessels of all classes navigating the North river, and bound for ports on the East river, Long Island sound, and in the Eastern States; thus shortening the distance of the travel between the North river and the waters of the sound, and of a large portion of the city of Brooklyn, lying in the East river; and between the North river and the Eastern States by more than twenty miles around the Battery, of the tedious, expensive and unsafe navigation of the waters that skirt the city, and thus avoiding the dangerous passage through Hell Gate; therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early appropriation of the amount necessary and requisite for such improvements.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Prince moved that the privileges of the floor be granted to Hon. Geo. M. Beebe.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the following appointments of the Clerk:

Assistant clerk, Lyman B. Smith; journal clerk, Walter A. Cook; assistant journal clerk, James R. Smith; financial clerk, Burnet Forbes; deputy clerks, Daniel S. Lamont, Charles E. Beard, Frederick S. Jackson, John S. Delehanty, Samuel S. Whallon, Ethan A. Durham; clerk to committee on engrossed bills, William H. Lee; librarian, E. J. Clark; assistant librarian, Duncan Griffin; clerk's messengers, Robert D. Evans, Charles L. Keyes, Francis E. Malloy, John Hickey, Lasell J. Hayden.

On motion of Mr. Waehner, at 12 o'clock and 5 minutes, the House adjourned.

MONDAY, JANUARY 18, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Blayney.

The reading of the journal of Friday, the 15th inst., was dispensed with.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That on Wednesday, January 20, at 12 o'clock M., the members of the Senate and Assembly will meet in joint assembly in the Assembly Chamber to compare nominations for the office of United States Senator in place of Hon. Reuben E. Fenton, whose term of office will expire on the 4th day of March next.

By unanimous consent, Mr. Sherman moved that the House concur in said resolution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Leave of absence was granted to Mr. Green indefinitely.

On motion of Mr. Alvord, the privileges of the floor were granted to Hon. George S. Batcheller, of Saratoga.

Mr. Scudder introduced a bill entitled "An act to further amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Alvord, on behalf of Mr. Speaker, introduced a bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Alvord, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kirk	Shattuck
Badger	Decker	Krack	Sherman
Barkley	Dessar	Kshinka	Sheil
Beach	Edson	Law	Slingerland
Beardsley	Farrar	Lawrence	Speaker
Berry	Fish	Lillybridge	Stauf
Bordwell	Fream	Lincoln	Struble
Bradley	Gallagher	McAfee	W. F. Taylor
Braman	Gedney	Merwin	Tremain
Brown	Hammond	J. W. Miller	Vedder
Burtis	Hauschel	W. Miller	Vosburgh
Calkins	Hepburn	Peck	Waehner
T. C. Campbell	Hess	Petty	Wellington
Christopher	Hinckley	Pope	West
Clark	Hogan	Reilly	Wetherbee
Cleary	Hussey	Russell	Whitmore
Cole	Husted	Sanford	Willis
Comstock	W. Johnson	Schuyler	Worth
Cooke	W. A. Johnson	Scudder	Wurts
Costigan	Keenan	Seward	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. T. C. Campbell introduced a bill entitled "An act for the prevention of disease among animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. T. C. Campbell introduced a bill entitled "An act providing for the forfeiture of property in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waehner introduced a bill entitled "An act to appoint a reporter of the decisions of the supreme court," which was read the first time, and by unanimous consent was also read a second time, and referred to the committee on the judiciary.

Mr. Hess introduced a bill entitled "An act to repeal an act entitled 'An act to provide for altering the map or plan of the city of New York, by laying out thereon a public place for a parade ground, and to authorize the taking of the same,' being chapter 628 of the Laws of 1871,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Stauff introduced a bill entitled "An act entitled 'An act to suppress intemperance, and to regulate the sale of intoxicating liquors,' passed April 16, 1857, and to amend an act entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hammond introduced a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the code of procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lincoln introduced a bill entitled "An act to repeal chapter 969 of the Laws of 1867, entitled 'An act in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan police district,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. J. W. Miller introduced a bill entitled "An act to amend an act entitled 'An act to provide for the care of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith,' passed May, 11, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Decker presented a petition of the president, trustees and inhabitants of the village of Stamford, Delaware county, for a law vesting the sole right of granting licenses in said village to the president and two trustees of said village," which was read and referred to the committee on internal affairs.

Mr. Sherman presented a petition of the board of supervisors of Oneida county, asking for the extension of the provisions of chapter 215 of the Laws of 1862, to prevent abuses in town and county charges; which was read and referred to the committee on internal affairs.

Mr. Sherman presented a petition of the board of supervisors of Oneida county, asking for an increase of the annual tax upon dogs; which was read and referred to the committee on agriculture.

Mr. Seward presented a petition of the New York Cheap Transportation Association, comprising 1,000 mercantile firms, praying for the adoption of amendments to article 5 of the Constitution of the State; which was read and referred to the committee on the judiciary.

Mr. Schuyler offered for the consideration of the House a resolution, in the words following:

Resolved, That the use of the Assembly Chamber be granted to the State Agricultural Society, for the annual meeting, on Wednesday evening, the 20th inst.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Bradley offered for the consideration of the House a resolution, in the words following:

Resolved, That James Farley be and he is hereby appointed general messenger during the present session, with the same compensation as the general messengers now appointed.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. J. W. Miller offered for the consideration of the House a resolution, in the words following:

Whereas, The Sergeant-at-arms should have additional assistance to take proper and present care of the wrapping department; therefore,

Resolved, That Mr. William W. Brinkerhoff be and is hereby appointed superintendent of the wrapping department, and that the same compensation be allowed to him as to the superintendent of documents and paid in the same manner, and that the appointment be for the session of 1875.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Edson offered for the consideration of the House a resolution, in the words following:

Resolved, That Enos Austin, of Cattaraugus, be appointed assistant doorkeeper of the Assembly.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Whereas, It is apparent that additional help is needed in the office of public documents; therefore,

Resolved, That James D. Nares be appointed assistant superintendent of public documents, at a compensation of five dollars per day, wages to commence with the date of his appointment.

Ordered, That said resolution be referred to the committee on expenditures of the House.

On motion of Mr. Hammond, at 8 o'clock the House adjourned.

TUESDAY, JANUARY 19, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of Harlem river and Spuyten Duyvil creek, from the North river to the East river, through the Harlem Kills, so as to afford a safe and convenient channel for vessels of all classes navigating the North river, and bound for ports on the East river, Long Island sound, and in the Eastern States; thus shortening the distance of the travel between the North river and the waters of the sound, and of a large portion of the city of Brooklyn, lying in the East river; and between the North river and the Eastern States by more than twenty miles around the Battery, of the tedious, expensive and unsafe navigation of the waters that skirt the city, and thus avoiding the dangerous passage through Hell Gate; therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early appropriation of the amount necessary and requisite for such improvements.

This being the day assigned by the rules for the consideration of general orders, and there being none, the House proceeded to the regular order of business.

By unanimous consent, on motion of Mr. Alvord, the special order for to-morrow evening (the annual message of the Governor) was postponed until one week from to-morrow evening.

The oath of office was administered to Charles H. Stillwell, assistant postmaster; James C. Huston, superintendent of documents; and to John Miley, George Shoemaker and Simeon Church, assistant door-keepers.

Mr. Alvord presented the annual report of the Superintendent of the Onondaga Salt Springs; which was laid on the table and ordered printed.

(See Doc. No. 28.)

In connection therewith Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved, That 500 copies of the annual report of the Superintendent of the Onondaga Salt Springs be printed for the use of the Superintendent.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Vosburgh introduced a bill entitled "An act amendatory of the several acts relating to Washington park, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act in relation to Congress Hall and the protection of the new capitol from injury and damage from the effect of fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act appropriating moneys for the building of the new capitol," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Gallagher introduced a bill entitled "An act to amend section 46 of an 'Act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Fay introduced a bill entitled "An act for the disposition of the excise moneys, and fines for intoxication, within the village of Northville, Fulton county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Worth introduced a bill entitled "An act to regulate the quality and price of illuminating gas, and to provide for the office of meter inspector for the cities of New York and Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. G. Taylor introduced a bill entitled "An act to authorize the city of Rochester to issue its bonds for the construction of new school buildings," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing bridge over the Genesee Valley canal, in West avenue, in the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Costigan introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hammond introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pope introduced a bill entitled "An act to provide for assessing and collecting taxes for highway purposes from railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Faulkner introduced a bill entitled "An act to amend the charter of the village of Dansville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Talmadge, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to extend the time for the collection of taxes in the city of Elmira."

Mr. Sherman, from the committee on rules, submitted the following report:

The committee on rules report and recommend the adoption of the following amendment to rule 66: Strike out the closing words of the rule as follows, viz.: "But no clerk or messenger shall be employed except upon request in writing of the chairman or chairmen of the respective committees, or a majority of them, and the approval of the Speaker; and in case the majority cannot agree, the said appointment may be made by the Speaker." And insert the words, "Such clerks or messengers shall be appointed by the Speaker."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

By unanimous consent, Mr. Davis introduced a bill entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Lincoln, the privileges of the floor were extended to Hon. Augustus Hill, of Greene county.

Mr. Hess offered for the consideration of the House a resolution, in the words following:

Whereas, No want felt by the residents of New York city is so pressing and urgent or requires such immediate attention as the want of rapid transit; and,

Whereas, The lack of rapid transit is retarding the growth in popu-

lation, causing emigration to adjacent towns and villages that can be reached by existing means of travel as quickly as the extreme ends of the city, and which places, from sparseness of settlement, offer cheaper rates, producing a consequent decrease in the value of New York city property, acting as an unwarrantable hindrance to the comfort and convenience of the residents, and in many other ways materially preventing the improvement of the city; therefore,

Resolved, That the committee on general, local and special laws be requested to frame and present a bill to this House, conferring adequate powers on the common council of the city of New York, and authorizing them to perfect and put in force a system by which rapid transit can be secured in that city.

Ordered, That said resolution be referred to the committee on general, local and special laws.

Mr. Ransom offered for the consideration of the House a resolution, in the words following:

Resolved, That R. S. Tabor be appointed assistant superintendent of public documents.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Vosburgh offered for the consideration of the House a resolution, in the words following:

Whereas, The duties of the wrapping department have increased so that the present force is not sufficient; be it, therefore,

Resolved, That William Montony be and he is hereby appointed assistant superintendent of the wrapping department, to receive the same pay as that now allowed to the superintendent.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Resolved, That Thomas A. Josephs be appointed assistant to the superintendent of the wrapping department, at a salary of three dollars per day, during the session of this Legislature.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. McGowan offered for the consideration of the House a resolution, in the words following:

Resolved, That James Coffey be and he hereby is appointed assistant door-keeper, and that he receive the same pay which is now allowed to assistant door-keepers by law.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Waehner moved that the committee on general, local and special laws be discharged from the further consideration of the resolution relative to rapid transit in the city of New York, introduced this morning by Mr. Hess.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The question then being upon the adoption of said resolution, and debate arising thereon,

Ordered, That the same be laid upon the table.

On motion of Mr. Hess, the House took a recess until 11 o'clock and 55 minutes.

ELEVEN O'CLOCK AND FIFTY-FIVE MINUTES.

The House again met.

Mr. Vosburgh presented the following communication :

LEW BENEDICT Post No. 5, G. A. R.,
ALBANY, N. Y., *January 19, 1875.* }

To Hon. Speaker and House of Assembly, State of New York :

I have the honor, in behalf of Lew Benedict Post No. 5, G. A. R., to extend to your honorable body an invitation to attend the lecture to be delivered at Tweddle Hall, under their auspices, by the Rev. Rufus W. Clark, D. D., Wednesday evening, the 20th inst. Subject: The First Century of American Nationality.

Respectfully, your obedient servant,

EDWARD LOW,
Chairman Committee.

By unanimous consent, Mr. Wellington introduced a bill entitled "An act to authorize plank-road and turnpike companies to reduce the number of their directors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

The hour of 12 o'clock M. having arrived, Mr. Speaker announced the special order, being the nomination by the House of Senator.

Pursuant to an act of Congress, and in conformity to a resolution of the Assembly, the House proceeded to nominate a Senator to represent this State in the Congress of the United States in place of Hon. Reuben E. Fenton, whose term of office will expire on the 4th day of March next.

Whereupon each member, as his name was called, rose in his place and nominated as follows :

FOR FRANCIS KERNAN.

Barkley	Daly	Kirk	Roscoe
Beach	Davis	Krack	Schenck
Beardsley	Dessar	Kshinka	Schieffelin
Benedict	Edson	Lawrence	Schuyler
Bennett	Ely	Lewis	Shattuck
Berry	Faulkner	Mackin	Sherman
Bradley	Fish	McGowan	Silverman
Broas	Fream	McGroarty	Smith
Brogan	Griffin	Merwin	Speaker
Brown	Hammond	J. W. Miller	Stauf
T. C. Campbell	Hanrahan	Muller	Stephens
T. J. Campbell	Hauschel	Oakley	Talmadge
Christopher	Hogan	O'Keefe	G. Taylor
Cleary	Holmes	Page	Vosburgh
Coffey	Ives	Pierson	Wachner
Cole	W. Johnson	Ransom	Witbeck
Cooke	Keenan	Reilly	Wurts
Costigan	Kennaday	Rich	

FOR EDWIN D. MORGAN.

Alvord	Farrar	Lillybridge	Stacy
Badger	Fay	Lincoln	Struble
Barrow	Gallagher	McAfee	W. F. Taylor
Bishop	Gedney	W. Miller	Tewksbury
Bordwell	Hepburn	Peck	Tremain
Bowen	Hess	Petty	Vedder
Braman	Hinckley	Pope	Wellington
Burtis	Houghton	Prince	West
Calkins	Hussey	Russell	Wetherbee
Clark	Husted	Sanford	Whitmore
Comstock	W. A. Johnson	Seward	Willis
Daggett	Law	Sherwood	Worth
Decker	Lawson	Slingerland	Yost

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A quorum having voted, and a majority of the members elected to the Assembly having named Francis Kernan as their choice, Mr. Speaker announced that Francis Kernan had been duly nominated on the part of the Assembly for Senator to represent this State in the Congress of the United States for the term of six years from the 4th day of March, 1875.

Mr. Stacy having been excused from serving on the committee on public health, Mr. Russell was substituted in his place.

On motion of Mr. Worth, at 12 o'clock and 15 minutes, the House adjourned.

WEDNESDAY, JANUARY 20, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bartlett.

The journal of yesterday was read and approved.

Mr. Vedder introduced a bill entitled "An act to amend an act entitled 'An act in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan police district,' passed June 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Mackin introduced a bill entitled "An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Worth introduced a bill entitled "An act to regulate the running of certain ferries between the cities of New York and Brooklyn, and to establish rates of ferriage thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Kennaday introduced a bill entitled "An act amendatory of the act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Silverman introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Stauf introduced a bill entitled "An act for the protection of policy holders in fire insurance companies doing business under the laws of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Comstock introduced a bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars, to expend in repairing the Spaulding hose carriage house in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act relating to children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. J. W. Miller introducee a bill entitled "An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor, in payment of improvements made in the water works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. J. W. Miller, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }
{ NOES 000 }

Those who voted in the affirmative, were

Alvord	Ely	Lillybridge	Sherwood
Barkley	Farrar	Lincoln	Silverman
Barrow	Faulkner	Mackin	Slingerland
Beardsley	Fay	McGowan	Smith
Benedict	Fream	McGroarty	Speaker
Bennett	Friend	Merwin	Stacy
Bishop	Gallagher	J. W. Miller	Stauf
Bowen	Gedney	Muller	Struble
Bradley	Green	Oakley	Talmadge
Braman	Griffin	O'Keefe	G. Taylor
Broas	Hanschel	Page	W. F. Taylor
Brogan	Hepburn	Peck	Tewksbury
Brown	Hess	Petty	Tremain
Calkins	Hinckley	Pierson	Vedder
T. C. Campbell	Hogan	Pope	Vosburgh
T. J. Campbell	Holmes	Prince	Waehner
Christopher	Husted	Reilly	Wellington

Clark	Ives	Russell	Wenzel
Coffey	W. Johnson	Sanford	West
Cole	Keenan	Schenck	Wetherbee
Comstock	Kennaday	Schieffelin	Whitmore
Daggett	Kirk	Schuyler	Willis
Daly	Krack	Souder	Witbeck
Decker	Kshinka	Seward	Worth
Dessar	Lawrence	Shattuck	Wurts
Edson	Lawson	Sherman	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Ely introduced a bill entitled "An act to amend an act entitled 'An act to authorize the towns of Otsego, Hartwick and Middleford, in the county of Otsego, to issue bonds, and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley railroad company,' passed June 3, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Oakley introduced a bill entitled "An act relating to the care of the drawbridge over Newtown creek, between the first ward of Long Island city, and the seventh ward of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Schuyler introduced a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Fream introduced a bill entitled "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection, repairing and preservation of bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Struble introduced a bill entitled "An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as Big Stream where the same passes through the village of Dundee, in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Schenck introduced a bill entitled "An act to repeal an act in relation to the inspection of steam boilers in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Senators Johnson and Wagner, a committee on the part of the Senate, appeared in the Assembly Chamber, and announced that they had been appointed as a committee on part of the Senate to inform the Assembly that that body was ready to meet the Assembly in joint assembly, to compare nominations for election of United States senator.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to provide for the deficiency in the appropriation for the salaries of certain officers of the government," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sherman offered for the consideration of the House a resolution, in the words following :

Resolved, That a committee of two be appointed on the part of the Assembly to inform the Senate that the Assembly will be ready at 12 M. to meet that body in joint assembly, for the purpose of electing a United States Senator in the place of Hon. Reuben E. Fenton, whose term of office will expire on the 4th of March next.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Sherman and Alvord.

By unanimous consent, on motion of Mr. Vedder,

The House then resolved itself into a committee of the whole on the bill entitled as follows :

"An act to provide for the deficiency in the appropriation for the salaries of certain officers of the government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lincoln, from said committee, reported in favor of the passage of said bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

On motion of Mr. Vedder, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Law	Seward
Badger	Farrar	Lawrence	Sherman
Barkley	Faulkner	Lawson	Sherwood
Bradley	Fay	Lillybridge	Sheil
Barrow	Fish	Lincoln	Silverman
Benedict	Fream	Mackin	Slingerland
Bennett	Friend	McAfee	Smith
Berry	Gallagher	McGowan	Speaker
Bishop	Gedney	McGroarty	Stacy
Bordwell	Green	Merwin	Stauf
Bowen	Griffin	W. Miller	Stephens
Bradley	Hammond	Oakley	Struble
Braman	Hanrahan	O'Keefe	Talmadge
Broas	Hauschel	Page	G. Taylor
Brogan	Hepburn	Peck	Tewksbury
Brown	Hess	Petty	Tremain
Calkins	Hinckley	Pierson	Vedder

T. C. Campbell	Hogan	Pope	Vosburgh
T. J. Campbell	Holmes	Prince	Waehner
Christopher	Houghton	Ransom	Wellington
Clark	Hussey	Reilly	Wenzel
Coffey	Husted	Rich	West
Cole	W. Johnson	Roscoe	Wetherbee
Comstock	W. A. Johnson	Russell	Whitmore
Cooke	Keenan	Sanford	Willis
Costigan	Kennaday	Schenck	Witbeck
Daggett	Kirk	Schieffelin	Worth
Daly	Krack	Schuyler	Wurts
Decker	Kshinka	Scudder	Yost
Dessar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act appropriating moneys for the building of the new capitol," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Vosburgh moved that said bill be printed, and made the special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to authorize the city of Albany to issue bonds to procure means to pay in part for the erection of an edifice for a public high school," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act authorizing the board of supervisors of Albany county to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Calkins presented a petition of T. D. Trumbull and supervisors of Essex county to amend section 1 of chapter 795 of Laws of 1872, relative to special road district; which was read and referred to the committee on general, local and special laws.

Mr. Schuyler presented a petition for the preservation of game; which was read and referred to the committee on internal affairs.

Mr. Seward presented a petition of Woodruff L. Barnes of New York, praying for amendment of the general law in regard to corporations; which was read and referred to the committee on general, local and special laws.

Mr. Barrow presented a petition of F. M. Everingham and 132 others, asking an appropriation for building a bridge across Onondaga creek, on Onondaga Indian Reservation; which was read and referred to the committee on ways and means.

Mr. Sherman, from the committee appointed to wait on the Senate

and notify that body that the House would meet the Senate at 12 M. to elect a Senator for the State of New York to the Congress of the United States, reported that the committee had discharged that duty.

The hour of 12 o'clock having arrived, Mr. Speaker announced that pursuant to act of Congress and a concurrent resolution of the Senate and Assembly, the Senate and Assembly were to meet at this hour in joint assembly for the purpose of comparing nominations for the office of United States Senator, in the place of Hon. Reuben E. Fenton, whose term of office will expire on the 4th of March next.

The Senate thereupon appeared in the Assembly Chamber.

Whereupon the Lieutenant-Governor announced that the Senate and Assembly were in joint assembly for the purpose of electing a Senator to represent this State in the Congress of the United States, in place of Hon. Reuben E. Fenton, whose term of office expires on the 4th day of March next.

The Clerk of the Senate then read the proceedings of the Senate relating to the nomination of United States Senator.

The Clerk of the Assembly then read the proceedings of the Assembly relating to the nomination of United States Senator.

The nominations being found not to agree on the name of a person to be elected United States Senator in the place of Hon. Reuben E. Fenton, the President of the Senate announced that the joint assembly of the Senate and Assembly would proceed to the election of a person to represent the State of New York as Senator in the Senate of the United States in place of the Hon. Reuben E. Fenton, whose term of office expires on the 4th day of March next, and that each Senator and member of Assembly, as his name was called, would rise in his place and name his choice.

The Clerk of the Senate then called the roll of Senators, and the Clerk of the Assembly then called the roll of members of the Assembly, with the following result :

FOR FRANCIS KERNAN.

Senators :

Bradley	Gross	Laning	Moore
Coe	Jacobs	Ledwith	Parmenter
Dayton	Johnson	Lord	Ray
Fox			

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Assemblymen :

Barkley	Davis	Krack	Schenck
Beach	Dessar	Kshinka	Schieffelin
Beardsley	Edson	Lawrence	Schuyler
Benedict	Ely	Lewis	Shattuck
Bennett	Faulkner	Mackin	Sherman
Berry	Fish	McGowan	Sheil
Bradley	Fream	McGroarty	Silverman
Broas	Friend	Merwin	Smith
Brogan	Griffin	J. W. Miller	Speaker
Brown	Hammond	Muller	Stauf
T. C. Campbell	Hanrahan	Oakley	Stephens
T. J. Campbell	Hauschel	O'Keefe	Talmadge
Christopher	Hogan	Page	G. Taylor
Cleary	Holmes	Pierson	Vosburgh

Coffey	Ives	Ransom	Waehner
Cole	W. Johnson	Reilly	Wenzel
Cooke	Keenan	Rich	Witbeck
Costigan	Kennaday	Roscoe	Wurts
Daly	Kirk		

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FOR EDWIN D. MORGAN.

Senators :

Booth	Kellogg	McGowan	Tobey
Cole	King	Robertson	Wagner
Connelly	Lowery	Selkreg	Wellman
Dickinson	Madden	Thompson	Woodin
Dow			

17

Assemblymen :

Alvord	Fay	Lillybridge	Stacy
Badger	Gallagher	Lincoln	Struble
Barrow	Gedney	McAfee	W. F. Taylor
Bishop	Green	W. Miller	Tewksbury
Bordwell	Hepburn	Peck	Tremain
Bowen	Hess	Petty	Vedder
Braman	Hinckley	Pope	Wellington
Calkins	Houghton	Prince	West
Clark	Hussey	Russell	Wetherbee
Comstock	Husted	Sanford	Whitmore
Daggett	W. A. Johnson	Seward	Willis
Decker	Law	Sherwood	Worth
Farrar	Lawson	Slingerland	Yost

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FOR JOHN T. HOFFMAN.

Assemblyman :

Scudder	I
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Whereupon, Mr. Francis Kernan being named as the choice of a majority of all the members of the Senate and Assembly in joint assembly convened, the President of the Senate announced and declared that the Hon. Francis Kernan of Utica, Oneida county, N. Y., was duly elected Senator of this State to the Congress of the United States for the term of six years from the 4th day of March next.

Thereupon the Senate retired from the Assembly chamber.

Mr. Speaker announced that on the joint meeting of the Senate and Assembly to compare nominations for United States Senator, for six years, from the 4th day of March next, the nominations of the two houses were found not to agree, and that the joint assembly then proceeded to the choice of such Senator by a *viva voce* vote of each member present. That upon such vote Francis Kernan being named as the choice of a majority of the joint assembly convened, the Lieutenant-Governor announced and declared that the Hon. Francis Kernan of Utica, Oneida county, was duly elected Senator for the State of New York to the Congress of the United States for the term of six years, from the 4th day of March, 1875.

Mr. Davis offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on canals be and are hereby instructed to make an examination of the accounts and vouchers filed in the Canal Department by the superintendent of canal repairs for the year 1874. That said committee are requested to report to this House at the earliest day practicable, whether any legislation is necessary or any action of the Canal Board should be taken to reduce expenses and secure a more efficient and economical administration in the affairs and management of the ordinary repairs upon the canals of this State.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Davis offered for the consideration of the House a resolution, in the words following:

Whereas, The superintendent of the wrapping department requires an assistant; therefore,

Resolved, That Albert J. Miller be and he is hereby appointed assistant superintendent of the wrapping department, with the same compensation as that of general messenger.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Brown offered for the consideration of the House a resolution, in the words following:

Resolved, That Thomas Ackerson, of Rockland county, be and is hereby appointed superintendent of the mailing department of this House, with the same salary paid the postmasters.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Stephens offered for the consideration of the House resolutions, in the words following:

Concurrent resolutions in relation to the channel between Staten Island and New Jersey.

Whereas, By chapter 416 of the Laws of Congress, second session, 1872, the Secretary of War is directed to cause examinations or surveys, or both, to be made at certain places, and among others, as to the channel between Staten Island and New Jersey; and,

Whereas, In pursuance of such survey, by chapter 457, of the Laws of Congress, first session, 1874, the sum of fifty thousand dollars for the opening and improving of the channel between Staten Island and New Jersey, was appropriated; and,

Whereas, In pursuance of such appropriation, the United States engineer in charge of said work has adopted a plan of operations which is detrimental to the shores and commercial interest of the State of New York; and,

Whereas, Such plan contemplates, and will result, in the destruction of the Kill-von-Kull, as it now is, and will divert the same from the State of New York to a distant point, and into the State of New Jersey, said channel to be held there by a dyke; and,

Whereas, The effect of said dyke will be to shoal the waters on the Staten Island shore, thereby seriously injuring the commerce of the said island, and breaking up the plantations of oysters, in the care and cultivation of which a very large capital is invested, and the people are very extensively engaged; and,

Whereas, The further effect of said dyke will be to detach a portion of the State of New Jersey, viz: Shooters' Island, and place the same south of the proposed artificial channel, and upon the New York side,

thereby destroying the natural boundary line between the said States, which boundary line is determined by the centre of the channel of the said Kill-von-Kull; therefore,

Resolved (if the Senate concur), that we do earnestly protest against the projected mode of improvement of the Kill-von-Kull, for the reason that it is not imperatively necessary, inasmuch as according to the engineer's report an equal depth of water of sixteen feet, at less than one-half the cost, may be had by dredging the channel as it now is, although possibly the improvement might not be so permanent. That it is in violation of the established boundary lines between the said States, destructive to the commercial interests of Staten Island, and ruinous to the lucrative pursuits of a very large number of the inhabitants.

Resolved (if the Senate concur), that the Senators and Representatives from the State of New York, in the Congress of the United States, are respectfully requested to obtain a modification of the plan of said improvement, whereby the objections as herein stated may be obviated, and in case that no such change of plan can be effected, then that our said representatives are further requested to oppose at every step and to vote against any future appropriation which will be needed to carry on the said work.

Resolved (if the Senate concur), that a copy of this preamble and resolutions be sent to each Senator and Representative from this State in the Congress of the United States.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

On motion of Mr. Stephens, said resolution was ordered printed.

Mr. Page offered for the consideration of the House a resolution, in the words following:

Resolved, That 800 copies of the Auditor's financial report, and 200 copies of the Auditor's expenditure report, be printed for the use of the Auditor.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Page offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed and bound in cloth for the use of the Legislature, by the legislative printer, 10,000 copies of the report on the Topographical Survey of the Adirondack Wilderness, sent to the Legislature of 1874, and the expense thereof be paid for out of the appropriation for legislative printing.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Stauf offered for the consideration of the House a resolution, in the words following:

Resolved, That the Superintendent of the Insurance Department report to the House within ten days the names and numbers of fire stock insurance companies chartered under the laws of this State or under the laws of any State within the United States and doing business within this State, also the names of such as have failed and the amount each has refunded to policy holders.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Hess called from the table the resolution previously offered by him, in the words following:

Whereas, No want felt by the residents of New York city is so pressing and urgent or requires such immediate attention as the want of rapid transit; and,

Whereas, The lack of rapid transit is retarding the growth in population, causing emigration to adjacent towns and villages that can be reached by existing means of travel as quickly as the extreme ends of the city, and which places, from sparseness of settlement, offer cheaper rates, producing a consequent decrease in the value of New York city property, acting as an unwarrantable hindrance to the comfort and convenience of the residents, and in many other ways materially preventing the improvement of the city; therefore,

Resolved, That the committee on general, local and special laws be requested to frame and present a bill to this House, conferring adequate powers on the common council of the city of New York, and authorizing them to perfect and put in force a system by which rapid transit can be secured in that city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Faulkner offered for the consideration of the House a resolution, in the words following:

Resolved, That W. H. Powers be hereby duly appointed to serve as special messenger on the floor, and that he shall receive in compensation for his services the same salary as other messengers of the House, and to receive pay from same date.

Ordered, That said resolution be referred to the committee on expenditures of the House.

On motion of Mr. Bradley, and by unanimous consent,

Resolved, That the Clerk of the House be directed to cause a screen to be placed in the rear of the members' seats by the door of the cloak room.

On motion of Mr. Husted, and by unanimous consent,

Resolved, That C. H. Mosher be and he is hereby authorized and directed to make out a statistical and a boarding-house list of the members and officers of the Assembly for the use of the Assembly, at a cost not to exceed \$50, to be paid out of the contingent fund of the Legislature, on the certificate of the Speaker.

Mr. Schieffelin offered for the consideration of the House a resolution, in the words following:

Resolved, That George W. Loyd be hereby appointed an assistant door-keeper of this House, and that he receive the same salary as other assistant door-keepers.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Lincoln offered for the consideration of the House a resolution, in the words following:

Whereas, The partition has been replaced on the south side of the Assembly Chamber, thereby necessitating the appointment of additional doorkeepers; therefore,

Resolved, That the Speaker be and he is hereby authorized to appoint three assistant doorkeepers from each Assembly district in the State, and that said appointments be made according to the rules adopted by the civil service commission.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Kshinka offered for the consideration of the House a resolution in the words following:

Whereas, This Assembly on the 15th day of January, 1874, passed a resolution imposing extra duties upon the officers of the Assembly post-office, in requiring the stamping of all documents and prepaying all express charges, which additional services necessitates more force in the post-office; therefore,

Resolved, That John C. Mangan be and hereby is appointed as superintendent of the expressing and mailing department of the Assembly post-office for the session of 1875, at the same compensation per day as was paid last year.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Kshinka offered for the consideration of the House a resolution, in the words following:

Resolved, That Edward F. York is hereby appointed assistant in the wrapping department of the Assembly, at the same compensation as general messenger.

Ordered, That said resolution be referred to the committee on expenditures of the House.

On motion, the privileges of the floor were granted to Hon. Andrew Blessing.

Mr. Faulkner offered for the consideration of the House a resolution, in the words following:

Resolved, That it be referred to the committee on the judiciary, together with the committee on the expenditures of the House, to examine and report to this House whether, under the provisions of articles 3, 5 and 10 of the Constitution, as now in force, forbidding extra compensation or perquisites of office, any extra copies of any report or legislative publication, or any books not published as annual reports to the Legislature, may be ordered printed and distributed under any concurrent resolution or joint rule or act of the Legislature, or any State officer, and whether in any event more than one copy of any such report or publication may be ordered printed and distributed for any such member or officer.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Kshinka, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875," and said bill was ordered to a third reading.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }
{ NOES 000 }

Those who voted in the affirmative, were

Alvord
Badger

Decker
Dessar

Krack
Kshinka

Schuyler
Seward

[ASSEM. JOURNAL.]

Barkley	Edson	Law	Silverman
Barrow	Ely	Lawrence	Slingerland
Beach	Farrar	Lawson	Smith
Beardsley	Faulkner	Lincoln	Speaker
Bennett	Fay	Mackin	Stacy
Berry	Fish	McGowan	Stauf
Bordwell	Fream	McGroarty	Struble
Bowen	Friend	Merwin	G. Taylor
Bradley	Gallagher	J. W. Miller	W. F. Taylor
Braman	Green	W. Miller	Tewksbury
Broas	Hanrahan	Muller	Tremain
Brogan	Hauschel	Oakley	Vedder
Brown	Hess	O'Keefe	Vosburgh
Calkins	Hinckley	Page	Waehner
T. C. Campbell	Hogan	Peck	Wellington
T. J. Campbell	Holmes	Petty	Wenzel
Christopher	Houghton	Pierson	West
Clark	Hussey	Prince	Wetherbee
Coffey	Husted	Ransom	Whitmore
Cole	Ives	Reilly	Willis
Comstock	W. Johnson	Roscoe	Witbeck
Cooke	Keenan	Russell	Worth
Daggett	Kennaday	Sanford	Wurts
Daly	Kirk	Schieffelin	Yost

Pending the call, Mr. Gedney asked to be and was excused from voting.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Oakley, at 12 o'clock and 50 minutes, the House adjourned.

THURSDAY, JANUARY 21, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Bartlett.

The reading of the journal of yesterday was dispensed with.

The Senate returned the bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," with a message informing of concurrence in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to legalize certain proceedings of the common council of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Ransom, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Lawson	Seward
Barkley	Dessar	Lewis	Shattuck
Barrow	Edson	Lillybridge	Sherman
Beach	Farrar	Lincoln	Sherwood
Beardsley	Faulkner	Mackin	Sheil
Benedict	Fay	McAfee	Silverman
Bennett	Fish	McGroarty	Slingerland
Berry	Fream	Merwin	Smith
Bishop	Friend	J. W. Miller	Speaker
Bordwell	Gallagher	Oakley	Stauf
Bradley	Gedney	Page	Stephens
Braman	Green	Peck	Struble
Broas	Griffin	Petty	Tewksbury
Brogan	Hauschel	Pierson	Tremain
Brown	Hess	Pope	Vedder
Calkins	Hinckley	Prince	Vosburgh
T. C. Campbell	Holmes	Ransom	Wellington
Christopher	Houghton	Rich	Wenzel
Clark	Husted	Roscoe	West
Cleary	Ives	Russell	Whitmore
Coffey	W. Johnson	Sanford	Willis
Cole	Kennaday	Schenck	Witbeck
Comstock	Krack	Schieffelin	Wurts
Cooke	Law	Scudder	Yost
Daggett			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Waehner, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

“An act to provide for the deficiency in the appropriation for the salaries of certain officers of the Government.”

“An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued.”

On motion of Mr. Husted, the privileges of the floor were granted to Hon. Wm. F. Brewer of Chautauqua county.

Mr. Speaker announced the special order, being the consideration of the bill entitled as follows :

“An act appropriating moneys for the building of the new capitol.”

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Vedder, from said committee, reported in favor of the passage of the same ; which report was agreed to, and said bill ordered engrossed and to a third reading.

By unanimous consent, on motion of Mr. Vosburgh, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 101
 { NOES 000 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Scudder
Badger	Dessar	Law	Seward
Barkley	Edson	Lawson	Shattuck
Beach	Farrar	Lewis	Sherman
Beardsley	Faulkner	Lillybridge	Sherwood
Benedict	Fay	Lincoln	Sheil
Bennett	Fream	Mackin	Silverman
Berry	Friend	McAfee	Slingerland
Bishop	Gallagher	McGowan	Speaker
Bordwell	Green	McGroarty	Stauf
Bowen	Griffin	Merwin	Stephens
Bradley	Hammond	J. W. Miller	Struble
Braman	Hanrahan	Muller	G. Taylor
Broas	Hauschel	Oakley	Tewksbury
Brogan	Hess	Page	Tremain
Brown	Hogan	Peck	Vedder
Calkins	Holmes	Petty	Vosburgh
T. C. Campbell	Houghton	Pierson	Wellington
T. J. Campbell	Hussey	Prince	West
Clark	Husted	Ransom	Whitmore
Coffey	Ives	Roscoe	Willis
Cole	W. A. Johnson	Russell	Witbeck
Comstock	Kennaday	Sanford	Worth
Cooke	Kirk	Schieffelin	Wurts
Daggett	Krack	Schuyler	Yost
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bill entitled as follows:

"An act to authorize the city of Albany to issue its bonds to procure means to pay in part for the erection of an edifice for a public high school."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Oakley, from said committee, reported in favor of the passage of the same; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Vedder introduced a bill entitled "An act to provide for the election of railroad commissioners of the town of Ellicottville, in the county of Cattaraugus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Broas introduced a bill entitled "An act authorizing the boards of town auditors in the several towns throughout the State to fix the compensation of overseers of the poor in their respective towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Gallagher introduced a bill entitled "An act to repeal chapter 293 of the Laws of 1871, entitled 'An act to amend an act entitled An act

concerning pilots of the channel of the East river, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, and April 16, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Kennaday introduced a bill entitled "An act to enable the city court of Brooklyn to continue its terms," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Kennaday, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 101 }
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Keenan	Schieffelin
Badger	Dessar	Kennaday	Scudder
Barkley	Edson	Kirk	Seward
Barrow	Ely	Krack	Sherman
Beach	Farrar	Law	Sherwood
Beardsley	Faulkner	Lawrence	Sheil
Benedict	Fay	Lawson	Silverman
Bennett	Fish	Lewis	Smith
Berry	Fream	Mackin	Speaker
Bishop	Friend	McAfee	Stephens
Bowen	Gallagher	McGowan	Struble
Bradley	Gedney	McGroarty	G. Taylor
Braman	Green	Merwin	W. F. Taylor
Broas	Griffin	J. W. Miller	Tewksbury
Brogan	Hanrahan	W. Miller	Tremain
Brown	Hauschel	Oakley	Vedder
Calkins	Hess	Page	Vosburgh
T. C. Campbell	Hinckley	Pierson	Wenzel
Clark	Holmes	Pope	West
Coffey	Houghton	Prince	Whitmore
Cole	Hussey	Reilly	Willis
Comstock	Husted	Rich	Witbeck
Cooke	Ives	Roscoe	Worth
Daggett	W. Johnson	Russell	Wurts
Daly	W. A. Johnson	Sanford	Yost
Davis			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Berry introduced a bill entitled "An act to repeal an act entitled 'An act in relation to the inspection of steam boilers in the State of New York, except in the metropolitan police district,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. J. W. Miller introduced a bill entitled "An act to exonerate and

discharge the city of Newburgh and the common council thereof from the further duty and obligation of repairing, supporting and maintaining a certain bridge in Orange county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. W. Johnson introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Schuyler introduced a bill entitled "An act in relation to banks, banking associations and individual bankers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Fream introduced a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864, as amended by an act passed April 16, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Stephens introduced a bill entitled "An act for the relief of the New York and Yonkers Fire Insurance Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to repeal chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh land,' passed June 9, 1868, and all acts in addition to and amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill entitled "An act to amend the charter of the Genesee Wesleyan Seminary," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill entitled "An act relating to Genesee College and Genesee Wesleyan Seminary," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to authorize plank-road and turnpike companies to reduce the number of their directors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to provide for the improvement of Tompkins square, in the city of New York," reported

the same back, with the recommendation that it be referred to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was so referred.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing 2,500 copies of the annual report of the trustees of the New York Asylum for Idiots for the use of the institution, reported in favor of the adoption of the following resolution :

Resolved, That 1,500 copies of the annual report of the trustees of the New York Asylum for Idiots be printed for the use of the institution.

Mr. Alvord moved to amend said report by striking out " 1,500 " and inserting in lieu thereof " 500."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, as amended, and it was determined in the affirmative.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing 2,000 copies of the list of standing committees of the Assembly, reported in favor of the passage of the same, in the words following :

Resolved, That 2,000 copies of the list of standing committees of the Assembly be printed for the use of the members of this House.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing 500 copies of the annual report of the Superintendent of the Onondaga Salt Springs, reported in favor of the passage of the same, in the words following :

Resolved, That 500 copies of the annual report of the Superintendent of the Onondaga Salt Springs be printed for the use of the Superintendent.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing 2,500 copies of the report of the Superintendent of the New York Deaf and Dumb Institution, reported in favor of the adoption of the following resolution :

Resolved, That 2,000 copies of the report of the Superintendent of the New York Deaf and Dumb Institution be printed, 1,000 of which to be for the use of the institution and 1,000 for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing 10,000 extra copies of the Governor's annual message, reported in favor of the adoption of the following resolution :

Resolved, That there be printed 5,000 extra copies of the Governor's annual message in English and 2,000 of the same in German, for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Friend, from the committee on public printing, to which was

referred the resolution relative to printing 800 copies of the Auditor's Financial report and 200 copies of the Auditor's Expenditure report, reported in favor of the passage of the same, in the words following:

Resolved, That 800 copies of the Auditor's Financial report, and 200 copies of the the Auditor's Expenditure report, be printed for the use of the Auditor.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Waehner, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875."

Mr. Stephens presented a petition of Richmond County Mutual Insurance Company; which was read and referred to the committee on insurance.

Mr. Husted presented a petition of Franklin B. Hough relative to a record and history of the laws of the State; which was read and referred to the committee on ways and means.

Mr. Faulkner presented a petition asking for amendment to the charter of Danville; which was read and referred to the committee on affairs of villages.

Mr. Davis called from the table the resolution previously offered by him, in the words following:

Resolved, That the committee on canals be and are hereby instructed to make an examination of the accounts and vouchers filed in the Canal Department by the superintendents of canal repairs for the year 1874. That said committee are requested to report to this House at the earliest day practicable, whether any legislation is necessary or any action of the Canal Board should be taken to reduce expenses and secure a more efficient and economical administration in the affairs and management of the ordinary repairs upon the canals of this State.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 98 }
{ NOES 17 }

Those who voted in the affirmative, were

Barkley	Decker	Lawrence	Sherman
Barrow	Dessar	Lewis	Sherwood
Beach	Edson	Lincoln	Sheil
Beardsley	Ely	Mackin	Silverman
Benedict	Farrar	McAfee	Slingerland
Bennett	Faulkner	McGowan	Smith
Berry	Fay	McGroarty	Speaker
Bishop	Fish	Merwin	Stauf
Bordwell	Fream	J. W. Miller	Stephens
Bowen	Friend	W. Miller	Struble
Bradley	Griffin	Muller	G. Taylor
Broas	Hammond	Oakley	Tewksbury
Brogan	Hanrahan	Page	Tremain
Brown	Hauschel	Petty	Vedder

Calkins	Hess	Pope	Vosburgh
T. C. Campbell	Hinckley	Prince	Waebner
T. J. Campbell	Hogan	Roscoe	Wellington
Christopher	Holmes	Russell	Wenzel
Coffey	Ives	Sanford	West
Cleary	W. A. Johnson	Schieffelin	Whitmore
Comstock	Keenan	Schuyler	Willis
Cooke	Kennaday	Scudder	Witbeck
Daggett	Kirk	Seward	Wurts
Daly	Kshinka	Shattuck	Yost
Davis	Law		

Those who voted in the negative, were

Alvord	Gedney	W. Johnson	Rich
Braman	Green	Lawson	Schenck
Clark	Houghton	Lillybridge	W. F. Taylor
Cole	Husted	Peck	Worth
Gallagher			

Mr. Stephens called from the table the resolutions previously offered by him, in the words following:

Whereas, By chapter 416 of the Laws of Congress, second session, 1872, the Secretary of War is directed to cause examinations or surveys, or both, to be made at certain places, and among others, as to the channel between Staten Island and New Jersey; and,

Whereas, In pursuance of such survey, by chapter 457, of the Laws of Congress, first session, 1874, the sum of fifty thousand dollars for the opening and improving of the channel between Staten Island and New Jersey, was appropriated; and,

Whereas, In pursuance of such appropriation, the United States engineer in charge of said work has adopted a plan of operations which is detrimental to the shores and commercial interest of the State of New York; and,

Whereas, Such plan contemplates, and will result, in the destruction of the Kill von Kull, as it now is, and will divert the same from the State of New York to a distant point, and into the State of New Jersey, said channel to be held there by a dyke; and,

Whereas, The effect of said dyke will be to shoal the waters on the Staten Island shore, thereby seriously injuring the commerce of the said island, and breaking up the plantations of oysters, in the care and cultivation of which a very large capital is invested, and the people are very extensively engaged; and,

Whereas, The further effect of said dyke will be to detach a portion of the State of New Jersey, viz: Shooters' Island, and place the same south of the proposed artificial channel, and upon the New York side, thereby destroying the natural boundary line between the said States, which boundary line is determined by the centre of the channel of the said Kill von Kull; therefore,

Resolved (if the Senate concur), that we do earnestly protest against the projected mode of improvement of the Kill von Kull, for the reason that it is not imperatively necessary, inasmuch as according to the engineer's report an equal depth of water of sixteen feet, at less than one-half the cost, may be had by dredging the channel as it now is, although possibly the improvement might not be so permanent. That it is in

violation of the established boundary lines between the said States, destructive to the commerical interests of Staten Island, and ruinous to the lucrative pursuits of a very large number of the inhabitants.

Resolved (if the Senate concur), that the Senators and Representatives from the State of New York, in the Congress of the United States, are respectfully requested to obtain a modification of the plan of said improvement, whereby the objections as herein stated may be obviated, and in case that no such change of plan can be effected, then that our said representatives are further requested to oppose at every step and to vote against any future appropriation which will be needed to carry on the said work.

Resolved (if the Senate concur), that a copy of this preamble and resolutions be sent to each Senator and Representative from this State in the Congress of the United States.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

On motion of Mr. Hammond,

Resolved, That the papers relating to the claim of John Phillips, on file in the office of the State Comptroller, be taken from said files and referred to the committee on ways and means.

Mr. Stauf called from the table the resolution previously offered by him, in the words following :

Resolved, That the Superintendent of the Insurance Department report to this House within ten days the names and numbers of fire stock insurance companies chartered under the laws of this State or under the laws of any State within the United States and doing business within this State, also the names of such as have failed and the amount each has refunded to policy holders.

Mr. Alvord moved to amend said resolution by inserting after the word "department" the words "be respectfully requested."

Said amendment was accepted by Mr. Stauf.

Mr. Speaker put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Brogan offered for the consideration of the House a resolution, in the words following :

Whereas, The depressed condition of trade and commerce during two successive winters has culminated in a general and distressing lack of employment throughout this State; and

Whereas, From their denser numbers the laboring classes of the city of New York are more immediately and intensely sufferers from this cause; and

Whereas, The recent discontinuance of work by the municipal and other departments of that city has contributed largely to swell the ranks of the unemployed, and to increase the volume of want and destitution; therefore,

Resolved, That, in order to alleviate as far as possible the privations from which the working classes of that city are suffering, it is the duty of the various municipal and other departments employing labor to resume and proceed with all unfinished public works under their respective control; and

Resolved, That we respectfully urge upon the mayor and aldermen of the city of New York, in the interests of its unemployed and famishing citizens, to take such steps as may induce the said departments to comply with this suggestion with the least delay possible.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Whitmore offered for the consideration of the House a resolution, in the words following:

Whereas, It is apparent that the same economy should be observed in public as in private affairs; and,

Whereas, The usual number of employees have been appointed, and it does not appear that they are unable to perform conveniently all the required labor in their respective departments; therefore, be it

Resolved, That no further appointments be made by this House, except clerks of committees and messengers, as provided in the 66th rule.

On motion of Mr. Alvord, said resolution was referred to the committee on expenditures of the House.

Mr. Scudder offered for the consideration of the House a resolution, in the words following:

Whereas, The Legislature of the State of New York has at different times ratified and confirmed leases between Indians and white settlers on the Allegany Indian reservation in said State; and

Whereas, The courts of this State have decided that such ratification is null and void, the Congress of the United States alone possessing power to deal with and for the Indians, and that, as Judge Barker of the supreme court of this State, in an elaborate opinion given in a suit to test the legality of such ratification of leases, did say that State action alone cannot accomplish the result; that the State should, through its legislative and executive officers, take appropriate steps to secure the aid and co-operation of the United States to secure to the white settlers the ratification of their leases and to protect them in their rights; now, therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress are requested to lay the matter before Congress at an early day and procure the passage of a law or take some action for the relief of said white settlers.

Resolved (if the Senate concur), That a copy of this resolution be furnished to each of the members of Senate and Congress from this State.

Said resolutions being concurrent,

Ordered, That the same be laid upon the table.

Mr. Merwin offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of villages, or such other committee as shall have under consideration the revision of the law for the incorporation of villages, be directed to inquire into the propriety of so amending the general village law as to provide for the election in each incorporated village of a police justice.

On motion of Mr. T. C. Campbell, said resolution was referred to the committee on general, local and special laws.

On motion of Mr. Friend, and by unanimous consent, the bill entitled "An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lawson	Shattuck
Badger	Faulkner	Lewis	Sherman
Barkley	Fay	Lillybridge	Sherwood
Benedict	Fish	Lincoln	Sheil
Bennett	Fream	McGowan	Silverman
Berry	Friend	McGroarty	Slingerland
Bishop	Gallagher	Merwin	Smith
Bordwell	Gedney	J. W. Miller	Speaker
Bowen	Green	Muller	Stauf
Braman	Griffin	Oakley	Stephens
Broas	Hammond	Page	Struble
Brogan	Hauschel	Peck	G. Taylor
Brown	Hess	Petty	W. F. Taylor
Calkins	Hinckley	Pierson	Tewksbury
T. C. Campbell	Holmes	Pope	Tremain
T. J. Campbell	Houghton	Prince	Vedder
Christopher	Hussey	Reilly	Vosburgh
Clark	Husted	Rich	Waehner
Cleary	Ives	Roscoe	Wellington
Cole	W. Johnson	Russell	Wenzel
Comstock	W. A. Johnson	Sanford	West
Cooke	Keenan	Schenck	Whitmore
Daggett	Kennaday	Schieffelin	Willis
Davis	Kirk	Schuyler	Witbeck
Decker	Kshinka	Scudder	Worth
Dessar	Law	Seward	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Waehner, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act appropriating moneys for the building of the new capitol."

"An act to enable the city court of Brooklyn to continue its terms."

Mr. Speaker presented the annual report of the Commissioners of Pilots; which was laid on the table and ordered printed.

(See Doc. No. 12.)

Leave of absence was granted to Mr. Talmadge until Monday evening.

On motion of Mr. Vosburgh, at 1 o'clock and 5 minutes, the House adjourned.

FRIDAY, JANUARY 22, 1875.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

Mr. Speaker presented the annual report of the Commissioners of Emigration of the State of New York; which was laid on the table and ordered printed.

(See Doc. No. 32.)

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to authorize plank-road and turnpike companies to reduce the number of their directors," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, said bill was referred to the committee of the whole.

"An act to authorize the extension of the time for the collection of taxes in the several towns of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennaday introduced a bill entitled "An act relating to the courts of record," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bradley introduced a bill entitled "An act to amend an act entitled 'An act in relation to the pay of the officers and members of the fire department of the city of Brooklyn,' chapter 856, Laws of 1873, passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. G. Taylor introduced a bill entitled "An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861," and the various acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act authorizing the incorporation of boards of underwriters in the several cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Brogan introduced a bill entitled "An act to provide for the gauging of barrels, kegs and casks used in the sale of ale, beer, lager beer and other malt liquors, and for marking the same with their correct liquid capacity," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on internal affairs.

Mr. McGowan introduced a bill entitled "An act to amend chapter 149 of the Laws of 1874, entitled 'An act to amend the act passed April 27, 1872, entitled An act to amend chapter 657 of the Laws of 1871, entitled An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871, passed April 10, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Gedney introduced a bill entitled "An act authorizing the Abingdon Square Savings Bank of the city of New York to change its location," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Hauschel introduced a bill entitled "An act to repeal an act entitled 'An act to create a fund in aid of the Society for the Reformation of Juvenile Delinquents in the city of New York, and for other purposes,' passed February 1, 1839," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Mr. Barrow introduced a bill entitled "An act to incorporate the Tully Sportsman's Club to supply the Greene or Sniffin lake at Tully, Onondaga county, New York, with fish, and to regulate the taking the same therefrom," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Friend introduced a bill entitled "An act providing for the disposition of excise moneys in the several towns of Orange county, except the city and town of Newburgh," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. West introduced a bill entitled "An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of the ministers, elders and deacons of the Reformed Protestant Dutch Church at Halfmoon), as a board of commission, to alienate certain real estate belonging to said incorporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Petty introduced a bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sheil introduced a bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Struble introduced a bill entitled "An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario,' which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to repeal an act entitled 'An act to subject the real and personal property of the New York and Oswego Midland railroad to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' passed April 29, 1874, and to suspend the collection of taxes assessed under the same," reported in favor of the passage of the same, with amendments, and with the title amended so as to read "An act to repeal chapter 296 of the laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain bonds, and to suspend the collection of taxes assessed under the same,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord rose in his place, and dissented from the report of the majority of said committee.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the Code of Procedure,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act providing for the forfeiture of property in certain cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to provide for the improvement of Tompkins square, in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Ely for the appointment of Frank Carrol as assistant doorkeeper of the Assembly, reported in favor of the adoption of the following resolution :

Resolved, That Frank Carrol be appointed assistant doorkeeper of this House, and that he be paid the same per diem allowance as is paid to the other assistant doorkeepers.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Cole for the appointment of R. B. Vose as superintendent of the wrapping and express department, reported in favor of the adoption of the following resolution :

Resolved, That R. B. Vose be and he is hereby appointed superintendent of the mailing and express department during the present session, at a compensation of five dollars per day.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Silverman for the appointment of P. J. Mahon as assistant doorkeeper, reported in favor of the adoption of the following resolution:

Resolved, That P. J. Mahon be appointed assistant doorkeeper of this House, and that he be paid the same per diem allowance as is paid to the other assistant doorkeepers.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Barkley for the appointment of John F. Huntley as assistant doorkeeper, reported in favor of the adoption of the following resolution:

Resolved, That John F. Huntley be elected assistant doorkeeper of this House, and that he be paid the same per diem allowance as is paid to the other assistant doorkeepers.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Ransom for the appointment of R. S. Tabor as assistant superintendent of public documents, reported in favor of the adoption of the following resolution:

Resolved, That R. S. Tabor be appointed assistant superintendent of public documents of this House, and that he be paid the same per diem allowance as paid to the superintendent of public documents.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Edson for the appointment of Enos Austin as assistant doorkeeper of the Assembly, reported in favor of the adoption of the following resolution:

Resolved, That Enos Austin be appointed assistant doorkeeper of this House, and that he be paid the same per diem allowance as is paid to the other assistant doorkeepers.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Bradley for the appointment of James Farley as general messenger, reported in favor of the adoption of the following resolution:

Resolved, That James Farley be appointed assistant general messenger of this House during the present session, with same compensation as the general messenger.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. T. J. Campbell for the appointment of James Marshall as assistant superintendent of documents, reported in favor of the adoption of the following resolution:

Resolved, That James Marshall be and is hereby appointed assistant superintendent of the wrapping department, and that he be allowed the same compensation and paid in the same manner as the assistant Sergeant-at-Arms, and that such appointment continue during the session of 1875.

On motion of Mr. Husted, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Kennaday for the appointment of Charles H. Burtis as clerk of the committee on general, local and special laws and M. E. Smith as messenger of said committee, reported in favor of the adoption of the following resolution:

Resolved, That the Speaker be authorized to appoint a clerk and messenger of said committee, which clerk shall be entitled to receive a compensation of five dollars per day, and which messenger shall be entitled to receive a compensation of three dollars per day, during the present session of this House.

On motion of Mr. Husted, said report was laid on the table.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes, concerning security for the payment of costs," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to incorporate the Nava-sink Club, for social and recreative purposes," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county."

"An act to authorize the city of Albany to issue its bonds to procure means to pay in part for the erection of an edifice for a public high school."

Mr. Sherman presented a memorial of Prof. John W. Mears, chairman of the joint committee appointed by the late University Convocation and the New York State Teachers' Association, praying for legislative action to unify the educational systems of the State of New York; which was read and referred to the committee on public education.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to enable the city court of Brooklyn to continue its terms."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented a communication from the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, January 22, 1875. }

To the Legislature:

I have the honor to transmit a copy of a joint resolution of the General Assembly of the State of Virginia, agreed to on the 15th day of January, 1875.

SAMUEL J. TILDEN.

COMMONWEALTH OF VIRGINIA—GOVERNOR'S OFFICE, }
RICHMOND, January 18, 1875. }

SIR— I have the honor to transmit herewith a copy of a joint resolution of the General Assembly of Virginia, agreed to on the 15th day of January, 1875.

Very respectfully, your most obedient servant,

JAMES L. KEMPER.

To his Excellency the Governor of the State of New York.

Joint resolution in relation to the late conduct of United States officials in Louisiana :

Viewing the recent conduct of United States officials in the State of Louisiana, in taking possession of its State house and assuming to control the organization of its Legislature, by the forcible expulsion of certain members who had been admitted to seats by that body, as a gross and wanton usurpation of power, which cannot safely be allowed to pass without disapproval and remonstrance, lest a precedent be established which would lead inevitably to the overthrow of our republican institutions ; therefore,

The General Assembly of Virginia, in the name of the people of Virginia, records its solemn protest against such unwarranted and revolutionary proceedings, by means of which a State of the Union has been deprived of the sacred right of self-government and of that control of its domestic affairs guaranteed by the federal compact, which has been exercised without question by other States, and ever been held essential to the maintenance of peace and good government.

We have observed with profoundest admiration the patience and fortitude with which the people of Louisiana have borne themselves under circumstances well calculated to provoke excited action ; and, inasmuch as the principle of popular representation, so grossly violated in their case, is one in whose defense the other States of the Union are equally interested, we cherish the hope that their wrongs will be redressed and their rights amply vindicated by the freemen of the country, without distinction of section or party.

Resolved, That a copy of this paper be transmitted to our Senators and Representatives in Congress, and to the Governors of the States of the Union, with the request that they communicate the same to their legislatures.

A copy — Teste :

J. BELL BIGGER,
Clerk of House of Delegates and
Keeper of the Rolls of Virginia.

January 15, 1875.

Mr. Husted offered for the consideration of the House a resolution, in the words following :

Resolved, That 2,500 extra copies of the fourth annual report of the trustees of the New York State Homœopathic Asylum for the Insane be printed, 1,500 copies for the use of the trustees, and 1,000 copies for the use of members of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Stephens offered for the consideration of the House a resolution, in the words following :

Whereas, There is urgent need for the service of additional special messengers for the Assembly ; therefore,

Resolved, That Jonas S. Forgotston be and he is hereby appointed one of the special messengers of this House.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Hammond offered for the consideration of the House a resolution, in the words following :

Resolved, That a respectful message be sent to the honorable the Senate requesting that body to return to this House the Assembly bill

entitled "An act appropriating moneys for the building of the new capitol."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Daly offered for the consideration of the House a resolution, in the words following:

Resolved, That the annual message of his Excellency the Governor be referred to the standing committees of the House, as follows:

So much thereof as relates to banks, savings banks, trust, loan and indemnity companies, and the general law required by the Constitution to conform the charters of savings banks, be referred to the committee on banks.

That so much thereof as relates to the constitutional amendments, and the general laws rendered necessary by such amendments, be referred to the committee on general, local and special laws.

That so much as relates to frauds and malversations by public officers, imperfection of criminal laws, together with all recommendations on the subject of amendments to civil and criminal statutes, be referred to the committee on the judiciary.

That so much thereof as relates to municipal affairs be referred to the committee on affairs of cities.

That so much thereof as relates to the canals and the appointment of a special commission, be referred to the committee on canals.

That so much thereof as relates to the insurance department be referred to the committee on insurance.

That so much thereof as relates to quarantine and emigration be referred to the committee on commerce and navigation.

That so much thereof as relates to common schools, colleges and academies, and the State library and museum, be referred to the committee on public education.

And that each said committee be requested to report upon the several topics referred to them at as early a day as their convenience will permit.

On motion of Mr. Alvord said resolution was laid on the table.

Mr. Seward offered for the consideration of the House a resolution, in the words following:

Resolved, That the adoption of steam power upon the canals, reducing the time of transit to one-half, and the cost of transportation in an almost proportionate degree, and thereby vastly increasing the carrying trade of the State, demands that the canals shall be improved and bottomed out to the full depth of seven feet, and the committee on canals are hereby instructed to prepare and report a bill providing for the execution of that work, to be paid for out of the canal revenues.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. T. C. Campbell offered for the consideration of the House a resolution, in the words following:

Resolved, That when this House adjourns to-day it stand adjourned until Tuesday, the 26th inst., at 11 o'clock A. M.

Mr. Waehner moved to amend by striking out the words "Tuesday morning at 11 o'clock," and inserting in lieu thereof the words "Monday evening at 7½ o'clock."

Debate was had thereon, when

Mr. Alvord raised the point of order that under the Constitution the

resolution was not in order, as the House cannot adjourn until Tuesday, it being over two days.

After debate thereon,

Mr. Speaker decided the point of order well taken.

Mr. Shattuck offered for the consideration of the House a resolution, in the words following:

Resolved, That when this House adjourns it adjourn to meet on Monday next at half-past seven o'clock P. M.; and that hereafter adjournments from Friday until the following Monday shall be only on each alternate week.

Mr. Alvord called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first portion of said resolution, that when the House adjourns it adjourn to meet on Monday next at half-past seven o'clock P. M., and it was determined in the affirmative.

{ AYES 67 }
{ NOES 42 }

Those who voted in the affirmative, were

Barkley	Edson	Lawrence	Shattuck
Benedict	Ely	Lawson	Sherman
Berry	Fay	Lewis	Sherwood
Bishop	Fish	Lillybridge	Sheil
Bordwell	Fream	Mackin	Silverman
Bradley	Gallagher	McGowan	Slingerland
Brogan	Green	Merwin	Stacy
Brown	Griffin	Muller	G. Taylor
Calkins	Hogan	Oakley	W. F. Taylor
T. C. Campbell	Holmes	Page	Vosburgh
T. J. Campbell	Houghton	Petty	Wenzel
Christopher	Ives	Pope	West
Coffey	Keenan	Rich	Whitmore
Daggett	Kennaday	Roscoe	Witbeck
Daly	Kirk	Russell	Worth
Decker	Kshinka	Sanford	Wurts
Dessar	Law	Scudder	

Those who voted in the negative, were

Alvord	Hammond	W. Miller	Stauf
Badger	Hanrahan	Pierson	Stephens
Barrow	Hauschel	Prince	Struble
Beardsley	Hepburn	Ransom	Towksbury
Braman	Hess	Reilly	Tremain
Clark	Hinckley	Schenck	Vedder
Cleary	Hussey	Schieffelin	Wahner
Cooke	Husted	Schuyler	Wellington
Davis	W. Johnson	Seward	Willis
Faulkner	Lincoln	Speaker	Yost
Gedney	McAfee		

Mr. Speaker then put the question whether the House would agree to the remaining portion of said resolution, and it was determined in the negative.

{ AYES 10 }
{ NOES 92 }

Those who voted in the affirmative, were

Bordwell	Russell	Sherwood	Stauf
Oakley	Schieffelin	Stacy	Whitmore
Prince	Shattuck		

Those who voted in the negative, were

Alvord	Edson	Kirk	Scudder
Badger	Ely	Kshinka	Seward
Barkley	Faulkner	Law	Sherman
Barrow	Fay	Lawrence	Sheil
Beardsley	Fish	Lawson	Silverman
Benedict	Fream	Lewis	Slingerland
Berry	Gedney	Lillybridge	Speaker
Bishop	Green	Lincoln	Stephens
Bradley	Griffin	Mackin	Struble
Braman	Hammond	McAfee	W. F. Taylor
Brogan	Hanrahan	McGowan	Tewksbury
Brown	Hauschel	Merwin	Tremain
Calkins	Hepburn	Muller	Vedder
T. C. Campbell	Hess	Petty	Vosburgh
T. J. Campbell	Hinckley	Pierson	Waehner
Christopher	Hogan	Pope	Wellington
Clark	Holmes	Ransom	Wenzel
Coffey	Houghton	Reilly	West
Cooke	Hussey	Rich	Willis
Daggett	Husted	Roscoe	Witbeck
Daly	Ives	Sanford	Worth
Davis	W. Johnson	Schenck	Wurts
Dessar	Keenan	Schnyler	Yost

Mr. Brogan called from the table the resolution previously offered by him, in the words following:

Whereas, The depressed condition of trade and commerce during two successive winters has culminated in a general and distressing lack of employment throughout this State; and

Whereas, From their denser numbers the laboring classes of the city of New York are more immediately and intensely sufferers from this cause; and

Whereas, The recent discontinuance of work by the municipal and other departments of that city has contributed largely to swell the ranks of the unemployed, and to increase the volume of want and destitution; therefore,

Resolved, That, in order to alleviate as far as possible the privations from which the working classes of that city are suffering, it is the duty of the various municipal and other departments employing labor to resume and proceed with all unfinished public works under their respective control; and

Resolved, That we respectfully urge upon the mayor and aldermen of the city of New York, in the interests of its unemployed and famishing citizens, to take such steps as may induce the said departments to comply with this suggestion with the least delay possible.

On motion of Mr. Sherman, said resolution was referred to the committee on affairs of cities.

Leave of absence was granted to Mr. Bowen until Monday, to Mr. Edson until Tuesday, and to Mr. Wetherbee indefinitely.

Mr. Bradley offered for the consideration of the House a resolution, in the words following:

Whereas, It has gone forth through the public prints, and has been made a subject of remonstrance in the municipal councils of this city, that the lessee or tenant of the premises known as Congress Hall, which premises are the property of the State, has been permitted, to the detriment of the work on the new capitol, to retain possession of them at an almost nominal rent, and even to omit the payment of the same; and,

Whereas, It is publicly asserted that such omission or non-payment has not only resulted in a loss of many thousands of dollars to the State, but is an unjust concession to the tenant of Congress Hall as against competing hotels, and that the occupation of the premises under such circumstances is in violation of the spirit and intention with which the property was presented to the State by the city of Albany; therefore,

Resolved, That the Land Commissioners be requested to report to this Assembly, as early as possible, the facts and figures bearing on the case, with the reasons for such undue concessions and stated non-payment, and such other circumstances as may serve to indicate a remedy for the loss and grievances publicly alleged.

Mr. Lincoln moved to refer said resolution to the committee on grievances.

Debate arising thereon,

Ordered, That said resolution be laid on the table.

Mr. Scudder called from the table the resolution previously offered by him, in the words following:

Whereas, The Legislature of the State of New York has at different times ratified and confirmed leases between Indian and white settlers on the Allegany Indian reservation in said State; and

Whereas, The courts of this State have decided that such ratification is null and void, the Congress of the United States alone possessing power to deal with and for the Indians, and that, as Judge Barker of the supreme court of this State, in an elaborate opinion given in a suit to test the legality of such ratification of leases, did say that State action alone cannot accomplish the result; that the State should, through its legislature and executive officers, take appropriate steps to secure the aid and co-operation of the United States to secure to the white settlers the ratification of their leases and to protect them in their rights; now, therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress are requested to lay the matter before Congress at an early day and procure the passage of a law or take some action for the relief of said white settlers.

Resolved (if the Senate concur), That a copy of this resolution be furnished to each of the members of the Senate and Congress from this State.

Debate was had thereon, when

On motion of Mr. Scudder, said resolution was laid on the table and ordered printed.

Mr. Prince, from the select committee to whom was referred the resolution relative to the death of Hon. Stephen Colahan, submitted the following resolutions, and recommended their adoption:

Whereas, The Hon. Stephen J. Colahan, a member of the last Legislature from Kings county, and a member elect to this House, was suddenly stricken down in the midst of his usefulness before the time for the assembling and organization of this body ;

Resolved, That while by this removal from among us at such an early period after the election at which this House was chosen of one of our number, in the prime of vigorous manhood, we should all be admonished that in the midst of life we are in death, we pause to render our tribute of respect to the memory of our late colleague, and to testify our high appreciation of his character, his talent and his fidelity to trust.

Resolved, That in the death of Mr. Colahan the Legislature has lost an active and judicious member, his family an affectionate husband and father, his district an able and energetic representative, and his acquaintance a genial and sincere friend.

Resolved, That this House tenders to the family of the deceased its sincere and profound sympathy in this their sudden bereavement at this loss, so irreparable to the widow and the orphan.

Resolved, That the Clerk of the House forward a copy of the foregoing preamble and resolutions, properly engrossed, to the widow of the deceased.

Resolved, That as a mark of respect to our departed colleague this House do now adjourn.

Mr. Prince moved that said report be made a special order for next Thursday, at 12½ o'clock P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to authorize the city of Albany to issue bonds to procure means to pay in part for the erection of an edifice for a public high school," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Faulkner	Lawson	Shattuck
Badger	Fay	Lewis	Sherman
Barkley	Fish	Lillybridge	Sherwood
Beardsley	Fream	Lincoln	Sheil
Benedict	Gallagher	Mackin	Silverman
Berry	Gedney	McAfee	Slingerland
Bishop	Green	McGowan	Speaker
Bordwell	Griffin	Merwin	Stauf
Bradley	Hammond	Muller	Stephens
Braman	Hanrahan	Page	Struble
Brogan	Hauschel	Petty	G. Taylor
Brown	Hepburn	Pierson	W. F. Taylor
Calkins	Hess	Pope	Tremain
T. J. Campbell	Hinckley	Prince	Vedder
T. C. Campbell	Hogan	Ransom	Vosburgh

Christopher	Houghton	Roscoe	Wenzel
Clark	Hussey	Russell	West
Coffey	Husted	Schenck	Whitmore
Cooke	Keenan	Schieffelin	Willis
Daggett	Kennaday	Schuyler	Witbeck
Daly	Kirk	Scudder	Worth
Dessar	Lawrence	Seward	Yost
Ely	Reilly	Wellington	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord moved that the House do now go into committee of the whole on the Senate bill entitled "An act to authorize plank-road and turnpike companies to reduce the number of their directors." Also, the bill entitled "An act to repeal chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' and to suspend the collection of taxes assessed under the same."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to authorize plank-road and turnpike companies to reduce the number of their directors."

"An act to repeal chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' and to suspend the collection of taxes assessed under the same."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Waehner, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Waehner, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Alvord, and by unanimous consent, the Senate bill entitled "An act to authorize plank-road and turnpike companies to reduce the number of their directors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 84 }
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lawson	Sheil
Badger	Ely	Lewis	Silverman
Barkley	Faulkner	Lillybridge	Slingerland
Barrow	Fay	Lincoln	Speaker
Beardsley	Fream	Mackin	Stacy

Benedict	Gallagher	McAfee	Stauf
Bishop	Green	McGowan	Stephens
Bordwell	Griffin	Merwin	Struble
Braman	Hammond	Oakley	G. Taylor
Brogan	Hauschel	Page	W. F. Taylor
Brown	Hepburn	Petty	Tewksbury
Calkins	Hinckley	Reilly	Tremain
T. C. Campbell	Hogan	Rich	Vedder
T. J. Campbell	Holmes	Russell	Vosburgh
Christopher	Houghton	Schenck	Wellington
Clark	Hussey	Schieffelin	Wenzel
Cleary	Husted	Schuyler	West
Coffey	Ives	Scudder	Whitmore
Cooke	W. Johnson	Seward	Willis
Daggett	Keenan	Shattuck	Witbeck
Dessar	Kshinka	Sherwood	Worth

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Mackin, at 1 o'clock and 5 minutes, the House adjourned.

MONDAY, JANUARY 25, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Snively.

The journal of Friday, Jan. 22, was read and approved.

The Senate returned the resolution of Mr. Stevens, in relation to the channel between Staten Island and New Jersey, with a message informing of concurrence in the passage of the same.

Mr. Daly introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 13, 1873," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Daly, and by unanimous consent, said bill was ordered engrossed and to a third reading.

Mr. Daly presented a memorial on same subject; which was read and laid on the table.

Mr. Schieffelin introduced a bill entitled "An act to exempt bonds and mortgages from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Waehner introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, being an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Lincoln introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county," which was read the first time, and by

- unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Also, the bill entitled "An act to provide for the payment of certain officers and employees of the Assembly for their service," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Beach introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to create a fund in aid of the Society for the Reformation of Juvenile Delinquents in the city of New York, and for other purposes,' passed the 1st day of February, 1839," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Hinckley introduced a bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and of the alteration thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

- Mr. Calkins introduced a bill entitled "An act to authorize the county of Essex to borrow money, for the purpose of enlarging, repairing and improving its county poor-house, and to authorize the issue of bonds and provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Prince moved that the committee on the judiciary be discharged from the further consideration of the Senate bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of the State," and that the same be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Schenck offered for the consideration of the House a resolution, in the words following:

Whereas, The people of the State of New York, especially those of the Mohawk and Hudson valleys, view with anxiety and alarm the wholesale destruction of the forests in the Adirondack region, whereby the commercial and manufacturing interests of the State, particularly that connected with the navigation of the Hudson river, must ultimately suffer; therefore,

Resolved, That the committee on ways and means be and are hereby requested to frame and report to this House, at the earliest hour practicable, an act to enable the State of New York to acquire the aforesaid Adirondack lands, retain the same, and preserve the forests thereon.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Vosburgh offered for the consideration of the House a resolution, in the words following:

Resolved, That the use of the Assembly Chamber be given to the Medical Society of the State of New York Wednesday evening, February 3, for the purpose of delivering the president's annual address.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Hess called from the table the concurrent resolution previously offered by him in the words following:

Whereas, The work heretofore carried on to remove the obstructions in the East and Harlem rivers at Hell Gate, in the city of New York, has been retarded and delayed; and

Whereas, Said obstructions are a serious detriment to the safe navigation of the Harlem and East rivers and a great drawback to the commerce of the city of New York; therefore

Resolved (if the Senate concur), That the Congress of the United States be respectfully requested to make such appropriations of the public moneys as may from time to time be necessary for the speedy completion of the work of removing the obstructions of the Harlem and East rivers, in the State of New York, and that the proper authorities be directed to vigorously prosecute the same.

Resolved, That a copy of the foregoing resolution be forwarded to the Senators and Representatives in Congress from this State.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolutions to the Senate and request their concurrence therein.

The House then resolved itself into a committee of the whole on the Senate bill entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns of this State."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Daly, from said committee, reported in favor of the passage of said bill; which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Waehner, at 8 o'clock and 12 minutes, the House adjourned.

TUESDAY, JANUARY 26, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Battershall.

The journal of yesterday was read and approved.

Mr. Speaker presented the annual report of the New York Infant Asylum; which was laid on the table and ordered printed.

(See Doc. No. 33.)

Also, the report of the Superintendent of the Insurance Department, in answer to a resolution of the House calling for information concerning the names and numbers of fire stock insurance companies chartered under the laws of this State, or under the laws of any State within the United States and doing business within this State; also the names of such as have failed and the amount each has refunded to policy holders.

On motion of Mr. Prince, said report was laid on the table and ordered printed.

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the Code of Procedure."

"An act to provide for the improvement of Tompkins square, in the city of New York."

"An act providing for the forfeiture of property in certain cases."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. J. Campbell, from said committee, reported in favor of the passage of said first and second mentioned bills, the second mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. T. J. Campbell, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Talmadge, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend an act entitled, 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

On motion of Mr. Daly, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Law	Seward
Badger	Faulkner	Lawrence	Shattuck
Barkley	Fay	Lawson	Sheil
Beach	Fish	Lincoln	Slingerland
Beardsley	Fream	Mackin	Smith
Berry	Friend	McGowan	Speaker
Bishop	Gallagher	McGroarty	Stauf
Bradley	Gedney	Merwin	Stephens
Braman	Green	W. Miller	Struble
Broas	Griffin	Muller	Talmadge
Brown	Hammond	Oakley	G. Taylor
Burtis	Hanrahan	O'Keefe	Tewksbury
Calkins	Hauschel	Page	Tremain
T. C. Campbell	Hess	Petty	Vedder
T. J. Campbell	Hinckley	Pierson	Vosburgh
Clark	Hogan	Prince	Waehner
Cleary	Holmes	Ransom	Wellington
Cole	Houghton	Rich	Wenzel
Comstock	Hussey	Roscoe	Wetherbee
Cooke	Ives	Russell	Whitmore
Costigan	Keenan	Schieffelin	Willis
Daly	Kennaday	Schuyler	Witbeck
Davis	Kshinka	Scudder	Wurts
Dessar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, on motion of Mr. Prince, the Senate bill entitled "An act to authorize the extension of the time for the collection of taxes in the several towns of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Law	Shattuck
Badger	Dessar	Lawrence	Sherwood
Barkley	Ely	Lawson	Sheil
Barrow	Farrar	Lincoln	Silverman
Beach	Faulkner	Mackin	Slingerland
Beardsley	Fay	McAfee	Speaker
Benedict	Fish	McGowan	Stauf
Bishop	Fream	McGroarty	Stephens
Bradley	Friend	Merwin	Struble
Braman	Gallagher	W. Miller	Talmadge
Broas	Gedney	Oakley	G. Taylor
Brown	Green	O'Keefe	W. F. Taylor
Burtis	Griffin	Page	Tewksbury
Calkins	Hammond	Petty]	Tremain
T. C. Campbell	Hauschel	Pierson	Vedder
T. J. Campbell	Hess	Prince	Waehner
Christopher	Hinckley	Ransom	Wellington
Clark	Holmes	Rich	Wenzel
Cole	Houghton	Russell	Wetherbee
Comstock	Hussey	Schieffelin	Whitmore
Cooke	W. Johnson	Schuyler	Willis
Costigan	Keenan	Scudder	Witbeck
Daly	Krack	Seward	Wurts
Davis	Kshinka		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Alvord moved that the special order for to-morrow evening (the Governor's annual message) be postponed until Thursday evening at 7½ o'clock, and that a session of the House be held at that time for that purpose.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Braman introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act for the preservation of fish in the Hudson river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Beardsley introduced a bill entitled "An act to extend the time for the collection of taxes in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Beardsley, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Kshinka	Shattuck
Badger	Fay	Law	Sherwood
Barkley	Fish	Lawson	Sheil
Barrow	Fream	Lincoln	Silverman
Beardsley	Friend	Mackin	Slingerland
Berry	Gallagher	McAfee	Smith
Bishop	Gedney	McGowan	Speaker
Bradley	Green	McGroarty	Stauf
Braman	Griffin	Merwin	Stephens
Broas	Hammond	W. Miller	Struble
Burtis	Hauschel	Muller	Talmadge
Calkins	Hess	Oakley	G. Taylor
T. J. Campbell	Hinckley	O'Keefe	Tremain
Christopher	Hogan	Petty	Vedder
Clark	Holmes	Pierson	Vosburgh
Cleary	Houghton	Prince	Waehner
Cole	Hussey	Ransom	Wellington
Comstock	Ives	Rich	Wenzel
Cooke	W. Johnson	Schieffelin	Whitmore
Costigan	Keenan	Schuyler	Willis
Decker	Kennaday	Scudder	Witbeck
Dessar	Krack	Seward	Wurts
Ely			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Beardsley introduced a bill entitled "An act to provide for the continuance of certain suits or actions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ransom introduced a bill entitled "An act to amend section 87 of chapter 320 of the Laws of 1859, entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Fay introduced a bill entitled "An act to further extend the provisions of the act entitled 'An act for the better security of mechanics and others erecting buildings and other structures in the several counties of this State, except the county of Erie and the city and county of New

York,' and the several acts amendatory thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Kennaday introduced a bill entitled "An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners, for lands taken from Prospect park for reservoir purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled "An act to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hauschel introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Barrow introduced a bill entitled "An act to amend an act entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Lincoln introduced a bill entitled "An act in relation to executors and administrators, and surrogates' courts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond introduced a bill entitled "An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Prince introduced a bill entitled "An act to establish a State Board of Audit, and define its powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Also, the bill entitled "An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Also, the bill entitled "An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Also, the bill entitled "An act conferring upon boards of supervisors certain powers of local legislation and administration relative to roads and bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Also, the bill entitled "An act conferring upon boards of supervisors certain powers of local legislation and administration relative to ceme-

teries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

On motion of Mr. Prince, said bills were ordered printed.

Mr. Brown introduced a bill entitled "An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. T. C. Campbell introduced a bill entitled "An act to enable the city and county of New York to provide for the erection of an armory and drill rooms upon the plot of ground which has been leased to the Seventh regiment of the National Guard of the State of New York for military purposes pursuant to chapter 234 of the Laws of 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Vosburgh introduced a bill entitled "An act to authorize the formation of corporations (commonly called boards of trade or exchange) for the purpose of fostering trade and commerce, to protect it from unjust or unlawful exactions, to reform abuses in trade, to diffuse accurate and reliable information among its members as to the standing of merchants, and other matters, to produce uniformity and certainty in the customs and usage of trade, to settle differences between its members, and to produce a more enlarged and friendly intercourse between merchants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Lawrence presented a petition of the chiefs and warriors of the Onondaga Nation of Indians, for relief; which was read and referred to the committee on ways and means.

Mr. Wellington introduced several remonstrances of citizens and taxpayers of the town of Lebanon, Madison county, against the repeal of the act of 1874 authorizing the taxation of the Midland Railroad Company; which were read and referred to the committee of the whole.

Mr. Shattuck presented a petition of Mr. B. Bennett and others, asking for amendment of the common school laws; which was read and referred to the committee on public education.

Mr. Fream offered for the consideration of the House a resolution, in the words following:

Resolved, That H. D. Van Leuven be appointed assistant doorkeeper, and that his compensation be fixed at the same figure as the other doorkeepers of this House.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved, That the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the Code of Procedure," be recommitted to the committee on the judiciary for amendment, retaining its place in the order of third reading of bills.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Waehner moved that the committee on general, local and special laws be discharged from the further consideration of the bill entitled "An act to enable the city and county of New York to provide for the erection of an armory and drill rooms upon the plot of ground which has been leased to the Seventh Regiment of the National Guard of the State of New York for military purposes, pursuant to chapter 234 of the Laws of 1874," and that the same be referred to the committee on affairs of cities.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was so referred.

Mr. Seward, called from the table the resolution previously offered by him, in the words following :

Resolved, That the adoption of steam power upon the canals, reducing the time of transit to one-half, and the cost of transportation in an almost proportionate degree, and thereby vastly increasing the carrying trade of the State, demands that the canals shall be improved and bottomed out to the full depth of seven feet, and the committee on canals are hereby instructed to prepare and report a bill providing for the execution of that work, to be paid for out of the canal revenues.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Scudder moved to take from the table the resolution previously offered by him, in the words following :

Whereas, The Legislature of the State of New York has at different times ratified and confirmed leases between Indian and white settlers on the Allegany Indian reservation in said State ; and

Whereas, The courts of this State have decided that such ratification is null and void, the Congress of the United States alone possessing power to deal with and for the Indians, and that, as Judge Barker of the supreme court of this State, in an elaborate opinion given in a suit to test the legality of such ratification of leases, did say that State action alone cannot accomplish the results ; that the State should, through its legislature and executive officers, take appropriate steps to secure the aid and co-operation of the United States to secure to the white settlers the ratification of their leases and to protect them in their rights ; now, therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress are requested to lay the matter before Congress at an early day and procure the passage of a law or take some action for the relief of said white settlers.

Resolved (if the Senate concur), That a copy of this resolution be furnished to each of the members of the Senate and Congress from this State.

Debate was had thereon, when

Mr. Alvord moved that said resolutions be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kshinka offered for the consideration of the House a resolution, in the words following :

Resolved, That the use of this Assembly chamber be granted to the

New York State Homœopathic Medical Society on the evening of Tuesday, the 9th day of February next.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Kshinka offered for the consideration of the House a resolution, in the words following :

Whereas, The accumulation of express matter and the large amount of labor to be done in the mailing department requires additional help ; therefore,

Resolved, That Peter Lasch be and hereby is appointed superintendent of the expressing and mailing department of the Assembly post-office from this date, at the compensation of five dollars per day.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Oakley offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That a suitable testimonial of honor be prepared under the direction of his Excellency Hon. Samuel J. Tilden, the honorable Lieutenant-Governor William Dorsheimer, and the Speaker of the Assembly, the design and plan of which shall be referred to and approved by the committee on military affairs, the same to be delivered to each soldier and sailor (or his representative in case of his death) as a testimonial of honor in grateful recognition of the services, sacrifices and sufferings in the late war for the suppression of the rebellion, and of the thankful recognition of the people of the State of New York therefor.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

On motion of Mr. Davis,

Resolved, That the Auditor of the Canal Department is hereby respectfully requested to send to this House copies of all contracts for new, enlargement or extraordinary work upon any of the canals of this State under which work is now being prosecuted or is hereafter to be prosecuted ; in form as follows :

1. Copies of the quantity sheet, showing the amount, kind and quantity of work to be done, with the kind, quality and quantity of materials to be furnished as exhibited by the engineer at the time of the letting.

2. The prices opposite each kind of work and materials as accepted by the Board of Canal Commissioners at the time of the letting, together with the aggregate prices at which the contract was declared to the lowest bidder.

3. The amount of payments by the Auditor of the Canal Department on account of labor or materials, specifying the amount and kind of labor with the amount, kind, quality and quantity of materials, with the aggregate sum paid upon each contract.

4. The name of the engineer who made out the quantity sheet for the letting, with the name of the engineer now in charge of the work. If there has been any change of engineers since the commencement of the work, state the fact, giving the names of the engineers, also the name of the contractor or contractors now engaged in conducting or prosecuting the work, with all the facts necessary to get the information called for before this House.

On motion of Mr. Schieffelin, at 1 o'clock and 35 minutes, the House adjourned.

WEDNESDAY, JANUARY 27, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Durant.

The journal of yesterday was read and approved.

The Senate returned the resolution of Mr. Hess^b relative to the improvement of the Harlem and East river, with a message informing of concurrence in the passage of the same.

Mr. Mackin introduced a bill entitled "An act to amend an act entitled 'An act empowering railroad companies to employ police force,' passed April 29, 1863, and the act amendatory thereof, passed March 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Kennaday introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Coffey introduced a bill entitled "An act to regulate the quality and price of illuminating gas, and to provide for the office of meter inspectors for the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. G. Taylor introduced a bill entitled "An act supplementary to an act passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. G. Taylor, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daly	Lawson	Shattuck
Barkley	Decker	Lillybridge	Sherwood
Beardsley	Dessar	Mackin	Sheil
Benedict	Farrar	McGowan	Silverman
Berry	Fay	McGroarty	Slingerland
Bishop	Fream	Merwin	Smith
Bowen	Friend	Muller	Speaker
Bradley	Gallagher	Oakley	Talmadge
Brogan	Hammond	O'Keefe	G. Taylor
Brown	Hanrahan	Page	W. F. Taylor
Burtis	Hauschel	Peck	Vosburgh

Calkins	Hinckley	Pierson	Waehner
T. C. Campbell	Holmes	Ransom	Wellington
T. J. Campbell	Houghton	Reilly	Wenzel
Christopher	Ives	Rich	Wetherbee
Clark	W. Johnson	Roscoe	Whitmore
Cleary	Keenan	Schenck	Willis
Cole	Kennaday	Schieffelin	Witbeck
Cooke	Kirk	Scudder	Worth
Daggett			

For the negative,
Lincoln

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. T. J. Campbell introduced a bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Keenan introduced a bill entitled "An act for the prevention of frauds in the manufacture and sale of gold and silver ware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Sherman introduced a bill entitled "An act to compel surviving partners to make and file an inventory and statement of copartnership assets and liabilities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Lincoln introduced a bill entitled "An act to repeal chapter 799 of the Laws of 1873, entitled 'An act to incorporate the Wine and Spirit Traders' Society of the United States,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Fream introduced a bill entitled "An act to provide a board of fire and police commissioners for the city of Kingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burtis introduced a bill entitled "An act to amend section 121 of Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act relating to the State Reformatory at Elmira, Chemung county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on ways and means, reported a bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of

1872, entitled "An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof," which report was agreed to, and said bill was committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act in relation to county treasurers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to authorize the city of Rochester to issue its bonds for the construction of a new school building," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. McGroarty, the bill entitled "An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city," was ordered printed.

Mr. Page, from the committee on canals, to which was referred the bill entitled "An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or turning bridge over the Genesee Valley canal in West avenue, in the city of Rochester," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was recommitted the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the Code of Procedure,'" reported back the same with the amendments as directed by the House; which report was agreed to, and said bill ordered replaced upon the calendar of third reading of bills.

Mr. Talmadge, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the improvement of Tompkins square, in the city of New York."

"An act to extend the time for the collection of city taxes in the city of Auburn."

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to authorize the board of supervisors of the county of Orange to issue certificates of indebtedness to provide for the payment of certain outstanding debts of said county."

"An act to extend the time for the collection of city taxes in the city of Auburn."

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Schenck presented a petition of members of the Montgomery county bar, asking the Legislature to pass a law that will permit the justices of the third judicial department to hold the general term at the city of Binghamton; which was read and referred to the committee on the judiciary.

Mr. Sherman presented a petition of Francis Kernan, Alexander S. Johnson, Charles Mason, Scott Lord and others, that a law library be established in the city of Utica; which was read and referred to the committee on ways and means.

Mr. Wenzel presented several petitions of citizens of Sullivan county, favoring the repeal of the law of 1874, taxing the New York and Oswego Midland railroad; which were read and referred to the committee of the whole.

Mr. Alvord presented a petition of the Onondaga Indians in relation to a road across their reservation; which was read and referred to the committee on ways and means.

Mr. Shattuck offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of this House be authorized and directed to cause to be printed on card boards fifty copies of the list of State officers, members, officers and reporters of the Senate and Assembly, with the home post-office address and boarding place in Albany; and that a copy be furnished to each of the departments, the principal hotels, also to the Senate and Assembly library, post-office and chamber.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Barrow offered for the consideration of the House a resolution, in the words following:

Whereas, A bill having been introduced into this House to confer additional legislative powers on the boards of supervisors of this State, which will, if passed, largely increase the labors of the members of such boards; be it

Resolved, That the committee on general, local and special laws, to which such bill has been referred, be requested to take into consideration the question whether the laws governing the fees and salaries of supervisors shall not be amended so as to make such fees and salaries commensurate with the duties to be performed, and if, in the opinion of such committee, the fees and salaries aforesaid should be increased, that it be requested to report a proper bill therefor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Comstock offered for the consideration of the House a resolution, in the words following:

Resolved, That the petition and papers on file relative to willful neglect and violation of law by town or city officers, be taken from the files and referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. McGowan offered for the consideration of the House a resolution, in the words following:

Resolved, That the Attorney-General be requested to inform this

House, at his earliest convenience, whether the Clerk has power to issue stationery orders to members, officers and reporters of the Assembly, as provided by section 7, chapter 530 of the Laws of 1853, as amended by section 1 of chapter 51 of the Laws of 1854, and as further amended by chapter 1 of the Laws of 1859; and also whether such statutes are affected by chapter 395 of the Laws of 1860, which repeals all acts inconsistent with said act of 1860, or whether such repeal is not confined to the stationery used in the departments of the Clerk and Sergeant-at-arms only, without any reference to stationery orders to members, officers and reporters; and also whether, in his opinion, the giving of such stationery orders is prohibited by section 24 of article 3 or by section 9 of article 10 of the Constitution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to provide for the improvement of Tompkins square, in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fream	McGroarty	Silverman
Barkley	Friend	Merwin	Slingerland
Barrow	Gallagher	Muller	Smith
Beardsley	Gedney	O'Keefe	Speaker
Bennett	Hammond	Page	Stauf
Bishop	Hanrahan	Peck	Struble
Bowen	Hauschel	Petty	Talmadge
Bradley	Hess	Pierson	G. Taylor
Braman	Hinckley	Pope	W. F. Taylor
Brogan	Hogan	Prince	Tewksbury
Burtis	Holmes	Ransom	Tremain
Calkins	Hussey	Reilly	Vedder
T. C. Campbell	W. Johnson	Rich	Vosburgh
T. J. Campbell	Keenan	Roscoe	Wachner
Christopher	Kennaday	Russell	Wellington
Cleary	Kirk	Schenck	Wenzel
Comstock	Krack	Schieffelin	West
Cooke	Law	Schuyler	Wetherbee
Costigan	Lawson	Scudder	Whitmore
Davis	Lillybridge	Seward	Willis
Decker	Lincoln	Shattuck	Witbeck
Dessar	Mackin	Sherwood	Worth
Farrar	McGowan	Sheil	Wurts
Fay			

Mr. Daly moved to reconsider the vote on the final passage of said bill.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Lawson	Sheil
Barkley	Dessar	Lincoln	Silverman
Barrow	Ely	Mackin	Slingerland
Beardsley	Farrar	McAfee	Smith
Benedict	Faulkner	McGowan	Speaker
Bennett	Fay	McGroarty	Stauf
Berry	Fish	Merwin	Struble
Bishop	Gallagher	W. Miller	G. Taylor
Bradley	Hammond	Muller	W. F. Taylor
Braman	Haurahan	O'Keefe	Tremain
Brogan	Hauschel	Page	Vedder
Brown	Hepburn	Petty	Vosburgh
Burtis	Hinckley	Pierson	Waehner
Calkins	Hogan	Pope	Wellington
T. C. Campbell	Holmes	Reilly	Wenzel
T. J. Campbell	Houghton	Roscoe	West
Christopher	Hussey	Russell	Wetherbee
Clark	Ives	Schenck	Whitmore
Cleary	W. Johnson	Schieffelin	Willis
Cooke	Keenan	Scudder	Witbeck
Costigan	Kennaday	Seward	Worth
Daggett	Krack	Sherman	Wurts

Mr. Daly moved that said bill be recommitted to the committee on affairs of cities, retaining its place on the calendar of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act providing for the forfeiture of property in certain cases."

"An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes, concerning security for the payment of costs."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Worth, from said committee, reported in favor of the passage of said bills, with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill entitled "An act to provide for the improvement of Tompkins square, in the city of New York," reported the same back with amendments.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Krack	Seward
Barkley	Ely	Kshinka	Shattuck
Barrow	Farrar	Lawson	Sherman
Beardsley	Faulkner	Lincoln	Sherwood
Benedict	Fay	Mackin	Silverman
Bennett	Fish	Muller	Slingerland
Berry	Fream	Oakley	Smith
Bishop	Friend	O'Keefe	Speaker
Bradley	Gallagher	Page	Stauf
Braman	Green	Petty	Stephens
Brogan	Hammond	Pierson	Struble
Burtis	Hepburn	Pope	Talmadge
T. C. Campbell	Hinckley	Prince	W. F. Taylor
T. J. Campbell	Hogan	Ransom	Tewksbury
Clark	Holmes	Reilly	Tremain
Coffey	Houghton	Rich	Waehner
Comstock	Hussey ;	Roscoe	Wellington
Cooke	Ives	Russell	Wenzel
Costigan	W. Johnson	Schenck	Whitmore
Daggett	Keenan	Schieffelin	Willis
Daly	Kennaday	Schuyler	Worth
Decker	Kirk	Scudder	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord presented in behalf of the State Military Association the following communication :

Resolved, That a committee of three be appointed by the chair to extend, through the Lieutenant-Governor and the Speaker of the House, an invitation to the members of the Senate and Assembly to be present at the delivery of the annual address before the New York State Military Association, and to present to them the privileges of the floor during our session.

LIEUT.-COL. J. S. DICKERMAN,
MAJOR-GEN. D. P. WOOD,
LIEUT.-COL. JAS. T. WATSON,
Committee.

On motion of Mr. G. Taylor, at 12 o'clock and 15 minutes, the House adjourned.

THURSDAY, JANUARY 28, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Durant.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes relative to the punishments for attempting to commit offenses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

A communication was received from the Attorney-General in answer to a resolution of the House passed January 6, calling upon him for information concerning proceedings relative to the boundary line between the States of New York and Connecticut; and being read,

On motion of Mr. Prince the same was laid on the table and ordered printed.

(*See Doc. No. 37.*)

On motion of Mr. Badger the privileges of the floor were extended to Hon. Mr. Wagstaff.

On motion of Mr. Daly the privileges of the floor were extended to Hon. Mr. Lockwood.

On motion of Mr. Vedder the privileges of the floor were extended to Hon. Mr. Wight.

On motion of Mr. Gallagher the privileges of the floor were extended to Hon. F. A. Alberger.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to repeal chapter 296 of the Laws of 1874, entitled 'An act

to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' and to suspend the collection of taxes assessed under the same."

"An act to authorize the common council of the city of Rochester to submit certain questions to the people at their next charter election."

"An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Prince, from said committee, reported in favor of the passage of said first and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Prince, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Speaker presented a communication from the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *January 28, 1875.* }

To the Legislature:

I have the honor to transmit herewith a communication from the Governor of New Jersey, relating to quarantine jurisdiction over the waters adjacent to the port of New York, together with a copy of a concurrent resolution of the Legislature of that State, and also a report of the commissioners appointed under chapter 613 of the Laws of 1865, to whom the matter was referred by me for information, and to report whether in their opinion any action is necessary or desirable.

SAMUEL J. TILDEN.

Ordered, That said communication be laid upon the table and printed
(*See Doc. No. 38.*)

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to authorize the surrogate of Steuben county to grant to Benjamin F. Young, of Bath in that county, letters of administration, with the will annexed, of the goods, chattels and credits of Richard T. Pultney, deceased, upon filing with such surrogate a bond in the penal sum of one hundred thousand dollars," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Braman introduced a bill entitled "An act to amend an act entitled 'An act authorizing the construction of a bridge across the Hudson river at the city of Albany, and incorporating the Albany and Greenbush Bridge Company,' passed April 18, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Hanrahan introduced a bill entitled "An act authorizing the common council of the city of Buffalo to grade and pave Forrest avenue in said city, and to contract with Isaac Holloway for such work," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Kennaday introduced a bill entitled "An act relative to the Farmers' Loan and Trust Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a memorial on the same subject, which was read and referred to the same committee.

Mr. G. Taylor introduced a bill entitled "An act to authorize the establishment of a female department in the Western House of Refuge for Juvenile Delinquents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Stephens introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company for the purpose of maintaining and constructing a suspension bridge, appurtenances and approaches to the same over the Kill von Kull at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points, over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' passed May 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, the bill entitled "An act to authorize the Canal Board to hear and determine the claim of Peter Viele," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Krack introduced a bill entitled "An act to amend section 4, title 5, chapter 20 of the first part of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act for the relief of school district number 17 of the town of Southport, in the county of Che-mung," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, the bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to create a board of commissioners of emigration and to confer certain powers thereon,' passed April 26, 1873," reported in favor of the passage

of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to provide for the election of railroad commissioners of the town of Ellicottville, in the county of Cattaraugus," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the annual report of the Trustees of the New York State Homœopathic Asylum for the Insane, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 2,000 extra copies of the fourth annual report of the trustees of the New York State Homœopathic Asylum for the Insane be printed, 1,000 copies for the use of the trustees, and 1,000 copies for the use of members of the Legislature.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the report of the Willard Asylum, reported in favor of the passage of the same, in the words following:

Resolved. (if the Senate concur), That 1,000 extra copies, with covers, of the report of the Willard Asylum be printed for the use of the officers of the asylum.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the Senate resolution relative to printing extra copies of the Governor's message, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That 2,500 extra copies of the Governor's message, in paper covers, and 250 copies thereof bound in cloth, be printed for the use of the Executive Department.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Talmadge, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act supplementary to an act passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester.'"

"An act providing for the forfeiture of property in certain cases."

"An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes, concerning security for the payment of costs."

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to authorize the county of Essex to borrow money for the purpose of enlarging, repairing and improving its county poor house and to authorize the issue of bonds and provide for the payment thereof," reported in favor of the passage of the

same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to incorporate the Society for the Prevention of Cruelty to Children," reported in favor of the passage of the same, with amendments, and the title amended so as to read as follows: "An act for the incorporation of societies for the prevention of cruelty to children," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act relating to children," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to authorize the towns and villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," reported the same to the House, and moved that said bill be printed and recommitted to the committee on general, local and special laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of 12½ o'clock having arrived, Mr. Speaker announced the special order, being the consideration of the report of the select committee appointed to draft resolutions expressive of the sentiment of this House on the decease of Hon. Stephen J. Colahan, in the words following:

Whereas, The Hon. Stephen J. Colahan, a member of the last Legislature from Kings county, and a member elect to this House, was suddenly stricken down in the midst of his usefulness before the time for the assembling and organization of this body;

Resolved, That while by this removal from among us at such an early period after the election at which this House was chosen of one of our number, in the prime of vigorous manhood, we should all be admonished that in the midst of life we are in death, we pause to render our tribute of respect to the memory of our late colleague, and to testify our high appreciation of his character, his talent and his fidelity to trust.

Resolved, That in the death of Mr. Colahan the Legislature has lost an active and judicious member, his family an affectionate husband and father, his district an able and energetic representative, and his acquaintance a genial and sincere friend.

Resolved, That this House tenders to the family of the deceased its sincere and profound sympathy in this their sudden bereavement at this loss, so irreparable to the widow and the orphan.

Resolved, That the Clerk of the House forward a copy of the foregoing preamble and resolutions, properly engrossed, to the widow of the deceased.

Resolved, That as a mark of respect to our departed colleague this House do now adjourn.

Mr. Speaker announced the question to be upon the adoption of said resolutions.

Eulogies were then pronounced upon the character and services of Hon. Stephen J. Colahan by Messrs. Prince, Worth, Alvord and Waehner.

Mr. Prince said:

Mr. Speaker — It is a rare thing indeed that any session of the Legislature closes without our having, at some period during its continuance, to stop the ordinary course of our business, to intermit our legislative functions, in order to devote a few moments to the consideration of some such subject as this; when we are forced to acknowledge that there is a power above legislatures, and at least one call which all, whether high or low, must obey. At no session of this House, since I have been a member, have we adjourned without one, two, three, or even four of these sad occasions; once, as I remember, on two consecutive days. Sometimes when we are called to mourn the death of our own immediate associates, sometimes those who have held seats in the other house of the Legislature, sometimes when an official in another branch of the State government has fallen, and at others when as the representatives of the State at the death of some great man — great in his own walk of life — we have felt it our duty to express the feelings of the people of the State at that loss to the general community. In the last category will be remembered by all who have been here for the last few years, the occasion on the death of the celebrated Senator of another State a year ago; on the death of Prof. Morse in the spring of 1872, and especially the occasion when the greatest statesman in the modern history of the Republic, whose reputation belonged not only to our own State but to the nation, had died, and this Assembly and the other house of the Legislature, and all branches of the State government, went to do honor to his memory, and to hear from the eloquent descendant of two Presidents a eulogium upon his life and character. In cases where one of our number has fallen, it has sometimes been almost at the close of the session. Time has gone on, and it has seemed as if the morning of adjournment was to bring us a full roll call, and then suddenly, perhaps, one has been removed and the 128 in their unity have been broken. And sometimes at the very commencement of the session, before even acquaintance had been formed with many of those who would have been the colleagues of the departed member. But it is almost unprecedented that the circumstances are such as those of to-day, that a gentleman elected to a house should be removed from among his fellow citizens even before the meeting and organization of the Legislature itself; before, in short, he became a member. Yet this was the case with Stephen J. Colahan. Elected in November last, in the full vigor of his early manhood, with everything in his future looking bright, before the day came when he was to stand in front of the Speaker's chair to take upon himself the oath of office, all that remained of him had been consigned to earth. Truly, as the resolutions say, a dispensation of this kind coming so early and so suddenly showed each of us that "in the midst of life we are in death." Others from his own immediate vicinity, who had a more intimate personal acquaintance with him, can far better give the story of his life. My acquaintance with him commenced in this House a year ago. I remember well the first time I met him in the old judiciary committee room on State street. But that acquaintance growing, as it did, all through the daily meetings of the committee, and the necessity of frequent and almost continuous intercourse soon ripened into a friendship, and that into a loving regard, for no man could know Stephen J. Colahan long, with the urbanity of his manners, with his kindness of heart, with the sweetness of his disposition, without having such a sentiment aroused in his breast. Courteous always to all, he was atten-

tive to the duties of his office, and especially so with regard to the particular requirements of his own immediate constituency.

Mr. Colahan was a young man, Mr. Speaker. He was born on Christmas day in 1841, and thus was not thirty-three years old when called away from earth. Educated at Fordham, and finishing his legal training at the law school of the New York University, he was admitted to the bar as soon as he attained his majority, and soon took a high rank in his profession. In the Constitutional Convention of 1867-8, he was the youngest member upon the floor. Soon afterward, in 1871, he was appointed to the highly responsible position of chief clerk of the city court of Brooklyn—a city of 400,000 souls. In 1872, although so young, he was the candidate of his party for Congress, and almost achieved an election against a gentleman well known as the most popular in his county. In the succeeding year he was elected to the Assembly. How well he fulfilled his part here, how faithfully he served his constituents and the State, all who knew him can testify. His immediate constituency gave their testimony in November, when they elected him by the majority which they gave. Everything seemed bright for his future. His friends looked forward with the fondest anticipations to his life that was to come. Prominently spoken of in connection with the Speakership of the House, with not an enemy on earth, having fulfilled every duty of every office which he had held faithfully and well, it seemed if there might be no limit to what his ambition should properly seek and might attain. Then suddenly, as I have said, he was cut off from among us. Such, sir, in brief, was his history. But this narration does not tell what his friends will best remember; it does not tell of the man; it does not tell of his fine physique, of his admirable appearance; it does not tell of his singularly pleasing manners, of his genial temperament, of the winning smile which gained the hearts of every one whom he met, so that one of the gentlemen who spoke on the obituary occasion in Brooklyn, said that “of him every one spoke well, none ill, and that he had not an enemy on the earth.”

He died suddenly, in the midst of his usefulness, with his armor—his official armor—on. On Tuesday, the 8th of December, he went to the court room of the city court of Brooklyn and commenced the calling of the roll of the extra panel of jurors, in the celebrated case which is still pending in that court. After calling about fifty names his strength failed, and he was obliged to be taken to his home. Rapidly growing worse through the succeeding day, soon becoming almost speechless, he sank slowly but steadily, until early on Wednesday morning his spirit had departed. Surrounded by loving friends, by a family that held him dear, by some of his old colleagues upon this floor, who would have been his colleagues here now had he lived, and one of whom I see before me. With every consolation of religion administered to him in his last moments, his young life ebbed away. So he faded, faded gradually away. So calmly, so peacefully, so restfully, Mr. Speaker, that the precise moment of his dissolution could scarcely be known.

The bar of his city met to do him honor. From the bench came the highest eulogiums of praise. Courts adjourned; friends wept; an immense concourse of those who had known and loved him in life followed to its burial the body which was borne by the most distinguished citizens of his county.

To-day we, in this chamber, meet to do what we can of honor to his memory. We meet here, some who were his colleagues and his friends

in the years gone by, all who would have been not only his colleagues but his friends this present year, had he lived to be among us. Those who knew him have special reason to mourn his death, for they have lost the companionship of one whom they hold dear. Those who knew him not may believe from our testimony that they have met with a loss in that they have not had as a colleague the genial and courteous gentleman who never was to take his place on this floor. I do not know, Mr. Speaker, that I can close better than in the words of one portion of the resolutions, which says that "by his death the Legislature has lost an active and judicious member, his family an affectionate husband and father, his district an able and energetic representative, and his acquaintances a genial and sincere friend."

Mr. Worth said:

Mr. Speaker—I would be recreant to the dictates of my innermost feelings were I to permit to pass by the present opportunity and thus fail to pay a tribute, however feeble, to the memory of my departed friend. My acquaintance with the late Stephen J. Colahan began while he was a youth, and it continued throughout his short but brilliant career. I always appreciated the simplicity and goodness of his youth, and as he developed into the rising statesman I felt prouder still as I fondly anticipated the future that was so plainly before him. Surrounded as he was by the favorable circumstances of a splendid education and apparent physical perfection, these, added to a rare combination of qualities of head and heart, still liberal in all things, he was kind yet firm. When duty called he was patriotic, yet alive to the progressive tendencies of the age he lived in; affectionate, but without a grain of selfishness, and eloquent without bravado. He was all these, and I was, I am sure, fully justified in entertaining the hope that Stephen J. Colahan, ere his sphere of usefulness was closed on earth for ever, would have filled a front place among the few who are yet to guide the destinies of our great country. But he is gone from among us, and it is but little that we can do, save to pause and submit to that inscrutable Providence that has bereaved us of our beloved brother. Against his private character, Mr. Speaker, there never was heard a whisper; and of his official life I need not call upon the members present, who were his colleagues, to bear me out when I testify that no one was purer, no one held higher opinions of the sacred character of his trust than Stephen J. Colahan; and no one ever returned to his constituents more deserving of the applause which he received. It was this that prompted him to be tireless—and he was tireless—in the examination of proposed measures; and if he found, or supposed he found, the public policy involved, he used all the vigor of his manhood, all the strength of his powerful intellect, to eradicate all things that bore the least tendency to bad results.

I do not pretend to say that there are none like to him, but for myself I shall always treasure up the memory of the years I have known him, and more than all, the year he remained an ornament to this House, a credit to the State, and a faithful servant to the people in his capacity as a member of the county which I now in part represent.

Mr. Alvord said:

Having, sir, in the course of my long career as a member of this House been called upon upon many occasions to address the House at a time like this, I should have contented myself with silence had it not

been intimated to me that there was a desire upon the part of the intimate friends and colleagues of the gentleman from Kings that I should address a few words upon this occasion; and also for the reason that I am the only one within the limits of this House who was a colleague of Mr. Colahan in the commencement of his legislative career. I cannot add any thing to that which has been so impressively said by the gentlemen who have preceded me, except to say, that standing upon the floor with Stephen J. Colahan in 1867-68, as a member of the Constitutional Convention, I found him, although the youngest member of that body, surrounded by the ablest men ever gathered together in such numbers within this State or in the nation. He was the peer of them all. Always clear, forcible, straightforward in his remarks, always eloquent in their utterances, young as he was he gained and retained the attention of the entire body when he saw fit, as he did on few occasions, to address them. He gained the esteem, respect and love of all who came in contact with him at that time, and, sir, when I again met him and took the cordial grip of his hand in 1874 upon the floor of this House, I felt that I had in him a friend. I felt that there was delegated to him a power by his people which would be exercised not only for the benefit of his constituency and friends, but which would extend its influence throughout the entire Legislature of the State. He was a genial, warm friend to all. He was at all times, so far as his judgment dictated, for the right, never bending or swerving to a mere party necessity, or a mere selfish end, but struck the blow straight for the purpose of the benefit and advantage not only of his State but of his nation. I cordially and sincerely concur with the resolutions which have been offered, and trust the House, upon the assertion which has been made by those who knew him best, will think, as the gentleman from Queens has said, that they have lost largely when God, in His providence, took Stephen J. Colahan away from the power of being upon this floor as a member of the Legislature.

Mr. Waehner said :

I had not intended upon this occasion to say any thing upon these resolutions, but it seems to me proper that I at this time join in the tributes which have been so justly paid to the memory of Stephen J. Colahan. Associated with him in the last House, I learned also to know him for all the qualities of mind and heart that have been ascribed to him so eloquently by the gentlemen who have preceded me upon the resolutions. None knew him truly but to love him. Engaging in his address to the House, very generally in the right, he courted, he won the esteem of all who knew him. The lesson of Stephen J. Colahan's life is indeed impressive. Impressive especially to the young men of the country, to the rising generation in this State. Young as he was in years, he had achieved for himself a reputation of which any one might well be proud; achieved a reputation for strict integrity, achieved a reputation for honor, achieved a reputation for ability of which many older than himself might well have been proud. And thus, sir, the lesson of Stephen J. Colahan is one that should commend itself to those who hope to rise in the walks of public life. By reason of these qualities it made him what he was; by reason of the possession of those honorable qualities we respect his memory and revere him now. By reason of his straightforward course we say to the world he was indeed a faithful, honest, and a capable representative of the interests of his

constituency, which in no narrow or little spirit, made the whole State of New York. I trust, sir, the resolutions will be adopted.

Mr. Speaker put the question whether the House would agree to said resolutions, and it was determined in the affirmative.

Thereupon, at 1 o'clock, the House adjourned.

FRIDAY, JANUARY 29, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Blayney.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act making appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed by said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stock of said railroad company," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Husted, said bill was ordered to a third reading.

Mr. Speaker presented a communication from the Auditor of the Canal Department, in answer to a resolution offered by Mr. Davis relative to certain canal contracts.

On motion of Mr. Davis, said communication was laid on the table and ordered printed.

(See Doc. No. 40.)

Mr. Cooke, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the Code of Procedure."

"An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed, by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

"An act to repeal chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' and to suspend the collection of taxes assessed under the same."

Mr. G. Taylor presented the annual report of the Superintendent of Public Instruction and of the Regents of the University on the New York State normal school at Albany; which was laid on the table and ordered printed.

(*See Doc. No. 41.*)

Mr. Hussey introduced a bill entitled "An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts 18 and 19 in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, presented a petition referring to same subject; which was read and referred to the same committee.

Mr. Holmes introduced a bill entitled "An act to amend an act entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Kennaday introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate and for other purposes,' passed April 30, 1845, passed April 27, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Costigan introduced a bill entitled "An act to repeal chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,' passed December 17, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brogan introduced a bill entitled "An act for the better protection of human life at public watering or bathing places," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Ely introduced a bill entitled "An act to amend chapter 433 of the Laws of 1872, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, also to repeal section 30 of said act, passed April 29, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Russell introduced a bill entitled "An act to repeal an act entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Husted introduced a bill entitled "An act for the relief of the surviving members of the first regiment of New York volunteers who served in the war with Mexico, and who were not included in the provisions of chapter 780 of the Laws of 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Schieffelin introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Chester,' passed May 14, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Leave of absence was granted to Messrs. Hinckley, Stacy and Vedder indefinitely, and to Messrs. Ives and Witbeck until Tuesday next.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes, relative to the punishments for attempting to commit offenses," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize the surrogate of Steuben county to grant to Benjamin F. Young, of Bath in that county, letters of administration, with the will annexed, of the goods, chattels and credits of Richard T. P. Pulteney, deceased, upon filing with such surrogate a bond in the penal sum of one hundred thousand dollars," reported in favor of the passage of the same, which report was agreed to.

By unanimous consent, on motion of Mr. Shattuck, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Dessar	Krack	Schuyler
Badger	Ely	Kshinka	Scudder
Barkley	Farrar	Lawson	Shattuck
Barrow	Faulkner	Lewis	Sherwood
Beardsley	Fay	Lillybridge	Slingerland
Benedict	Fream	Lincoln	Smith
Bishop	Friend	Merwin	Speaker
Bowen	Gallagher	Oakley	Struble
Bradley	Green	O'Keefe	G. Taylor
Braman	Griffin	Page	W. F. Taylor
Calkins	Hanrahan	Petty	Tremain
T. C. Campbell	Hauschel	Pierson	Vosburgh
T. J. Campbell	Hogan	Pope	Waehner
Christopher	Holmes	Reilly	Wellington
Clark	Hussey	Rich	Wenzel
Cleary	Husted	Roscoe	Wetherbee
Comstock	W. Johnson	Russell	Whitmore
Cooke	W. A. Johnson	Sanford	Willis
Costigan	Kennaday	Schenck	Worth
Daggett	Kirk	Schieffelin	Wurts
Decker			

Those who voted in the negative, were

W. Miller	Seward	West
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act declaring and establishing the rights and liabilities of married women," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the State Reformatory at Elmira, Chemung county, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prince rose in his place and dissented from the report of the majority of said committee.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act for the better enforcement of certain penal laws," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the resolution relative to Indian affairs, reported in favor of the adoption of the same, in the words following:

Whereas, The Legislature of the State of New York has at different times ratified and confirmed leases between Indian and white settlers on the Allegany Indian reservation in said State; and

Whereas, The courts of this State have decided that such ratification is null and void, the Congress of the United States alone possessing power to deal with and for the Indians, and that, as Judge Barker of the supreme court of this State, in an elaborate opinion given in a suit to test the legality of such ratification of leases, did say that State action alone cannot accomplish the results; that the State should, through its legislature and executive officers, take appropriate steps to secure the aid and co-operation of the United States to secure to the white settlers the ratification of their leases and to protect them in their rights; now, therefore,

Resolved (if the Senate concur), That our Senators and Representatives in Congress are requested to lay the matter before Congress at an early day and procure the passage of a law or take some action for the relief of said white settlers.

Resolved (if the Senate concur), That a copy of this resolution be furnished to each of the members of the Senate and Congress from this State.

Mr. Speaker put the question whether the House would agree to said reeport, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolutions to the Senate, and request their concurrence therein.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime,"

reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on rules, submitted the following report:

The committee on rules respectfully recommend the adoption of the following code for the regulation of business for the current legislative term:

CHAPTER I.

OF THE POWERS AND DUTIES OF THE SPEAKER.

RULE 1. The speaker shall take the chair each day at the hour to which the house shall have adjourned. He shall call to order, and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

RULE 2. He shall possess the powers and perform the duties herein prescribed, viz.:

1. He shall preserve order and decorum.

2. He shall decide all questions of order, subject to appeal to the house. On every appeal he shall have the right, in his place, to assign his reason for his decision.

3. He shall appoint all committees, except where the house shall otherwise order.

4. He may substitute any member to perform the duties of the chair for a period not exceeding two consecutive legislative days, but for no longer period, except by special consent of the house.

5. When the house shall be ready to go into committee of the whole, he shall name a chairman to preside therein.

6. He shall certify the passage of all bills by the house, with the date thereof, together with the fact whether passed as a majority, three-fifths or two-thirds bills, as required either by the constitution or laws of this state.

7. He shall designate the persons who shall act as reporters for the public press, not exceeding twenty in number; but no reporter shall be admitted to the floor who is not an authorized representative of a daily paper. Such reporters, so appointed, shall be entitled to such seats as the speaker shall designate, and shall have the right to pass to and from such seats in entering and leaving the assembly chamber.

CHAPTER II.

OF THE ORDER OF BUSINESS.

RULE 3. The first business of each day's session shall be the reading of the journal of the preceding day, and the correction of any errors that may be found to exist therein. After which, except on days and at times set apart for the consideration of general or special orders, the order of business, which shall not be departed from, except by unanimous consent of the house, shall be as follows, viz.:

1. Introduction of bills by counties, in alphabetical order.

2. Reports of standing committees in the order in which the committees are stated in rule fourteen.

3. Presentation of petitions by counties, in alphabetical order.

4. Motions and resolutions, to be called for by counties in reverse order.

5. Reports of select committees.
6. Third reading of bills.
7. The preferred calendar of general orders.
8. Unfinished business of the general orders.
9. Special orders of the day.
10. General orders.

Messages from the governor and from the senate, communications from state officers, and reports from the committees on engrossed bills and public printing, may be received under any order of business.

CHAPTER III.

OF THE RIGHTS AND DUTIES OF MEMBERS

RULE 4. Petitions, memorials, and any other papers addressed to the house, shall be presented by the speaker, or by any member in his place.

RULE 5. Every member presenting a paper shall indorse the same; if a petition, memorial, or report to the legislature, with a brief statement of its subject or contents, adding his name; if a notice or resolution, with his name; if a report of a committee, a statement of such report, with the name of the committee and members making the same; if a bill, a statement of its title, with his name.

RULE 6. Every member who shall be within the bar of the house when a question is stated from the chair, shall vote thereon, unless he be excused by the house, or unless he be directly interested in the question; but no member shall be obliged to vote on any question unless within the bar when his name is called. The bar of the house shall be deemed to include the body of the assembly chamber.

CHAPTER IV.

OF ORDER AND DECORUM.

RULE 7. No member rising to debate, to give a notice, make a motion or report, or to present a petition or other paper, shall proceed until he shall have addressed the speaker, and have been recognized by him.

RULE 8. While a member is speaking, no member shall entertain any private discourse or pass between him and the chair.

RULE 9. While the speaker is putting a question, or a count is being had, no member shall leave his place.

RULE 10. When a motion to adjourn is carried, the members and officers shall keep their seats and places until the speaker declares the house adjourned.

CHAPTER V.

OF ORDER IN DEBATE.

RULE 11. No member shall speak more than once to the same general question, without leave of the house, until every member desiring to speak on the question pending shall have spoken.

RULE 12. If any member, in speaking, transgress the rules of the house, the speaker, or any member, may call to order, in which case the member so called to order shall immediately sit down, and shall not rise unless to explain or proceed in order.

RULE 13. All questions relating to the priority of business, that is, the priority of one question or subject-matter over another, under the same order of business, shall be decided without debate.

CHAPTER VI.

ON COMMITTEES AND THEIR DUTIES.

RULE 14. The standing committees shall be as follows, viz :

To consist each, of nine members :

1. Ways and means.
2. Judiciary.
3. General laws.
4. Canals.
5. Affairs of cities.
6. Railroads.
7. Commerce and navigation.
8. Insurance.
9. Banks.
10. Internal affairs.
11. Affairs of villages
12. Roads and bridges.
13. Public printing,
14. Public health.
15. Charitable and religious societies.
16. Public education.
17. Militia.
18. Claims.
19. Federal relations.

To consist each, of seven members :

20. State prisons.
21. State charitable institutions.
22. Privileges and elections.
23. Civil divisions.
24. Trade and manufactures.
25. Manufacture of salt.
26. Public lands.
27. Agriculture.
28. Indian affairs.
29. Petitions of aliens.
30. Two-thirds and three-fifths bills.
31. Engrossed bills.
32. Grievances.
33. Expenditures of the house.
34. Expenditures of the executive department.

To consist each, of five members :

35. Rules.
36. Joint library.
37. There shall be also, a committee on "general orders," to be called the "sub-committee of the whole," to consist of sixteen members, viz: two from each judicial district of the state; whose duties are defined in rule 40.

RULE 15. It shall be the duty of each of the several committees to consider and report without unnecessary delay, upon the respective bills and other matters referred to it by the house; and also to inquire into the matters indicated by its name, and to report thereon to the house, any information, and any bill or resolution which it may deem conducive to the public interest.

RULE 16. It shall be the duty of the committee on ways and means to examine into all the departments of the government, whether executive, legislative, judicial or otherwise, where salaries or emoluments are given; to examine, ascertain and report to the house what officers can be dispensed with, and what salaries or emoluments can be reduced, and how far consistent with the public good; and to take such action in regard to section eight of article seven of the constitution of this state as may be requisite.

RULE 17. It shall be the duty of the committee on two-thirds and three-fifths bills to carefully examine all bills coming within the ninth section of the first article, and the fourteenth section of article seven of the constitution of this state; and when any bill shall have passed in committee of the whole house, on which the speaker may entertain doubts whether it comes within the provisions of either of the said sections, it shall be referred to the said committee to examine and report thereon, before the question on the final passage shall be taken.

RULE 18. It shall be the duty of the committee on general laws to consider and report upon all bills and other matters which shall be referred to them. And they shall have authority to report such original general laws and such amendments to existing general laws as they shall deem in accordance with the requirements of the constitution. Every bill of a general character reported by them, shall be placed on a preferred calendar of the general orders, which shall have precedence of the unfinished business of the general orders.

RULE 19. The committee on engrossed bills shall carefully examine, in the order in which they shall be directed by the house to be engrossed for a third reading, all bills so engrossed, and see that the same are correctly engrossed, and they shall immediately report the same in like order to the house before they are read the third time.

RULE 20. It shall be the duty of the committee on public printing to examine and report on all questions of printing referred to them; to examine, from time to time, and ascertain whether the prices charged for printing are in conformity to the contract therefor, and whether it is done in conformity to the orders of the house and without unreasonable delay; to ascertain and report what number of copies ought usually to be printed, and how distributed; and to report to the house, from time to time, any measures they may deem useful for the economical and proper management of the public printing.

RULE 21. It shall be the duty of the committee on expenditures of the house, and in the executive department, severally to inquire into the said expenditures, and whether the same have been made in conformity to law, and whether proper vouchers exist for the same, and whether the funds provided for the purpose are economically applied, and to report, from time to time, such provisions, laws and regulations as may conduce to economy, and to secure the faithful disbursement of the moneys appropriated by law.

RULE 22. All petitions, memorials and bills, relating to claims upon the state, shall be referred to the standing committee upon claims for

examination and report; and said committee shall not consider any such petition, memorial or bill unless it shall be accompanied by a bill of particulars, setting forth the items upon which the claim is based, and the name or names of the *bona fide* owner thereof, and which shall be verified by the affidavit of the claimant; and no report of said committee shall be received unless accompanied by a written statement embodying the items of such claim, and a copy of the affidavit verifying the same, and the reasons for the conclusions of the committee thereon.

RULE 23. No papers now on files of this house, which have been reported upon adversely by a committee on claims, shall be taken therefrom unless the claimant shall present a petition stating in what manner the committee have erred in their report, or that new evidence has been discovered since the report, and setting forth the new evidence in the petition.

CHAPTER VII.

OF THE GENERAL ORDERS AND SPECIAL ORDERS.

RULE 24. The matters referred to the committee of the whole house shall constitute the general orders, and their titles shall be recorded in a calendar kept for that purpose by the clerk, in the order in which they shall be referred severally.

RULE 25. The business of the general orders shall be taken up in the following manner, viz.: The clerk shall announce the title of each bill or other matter, as it shall be reached in its order; whereupon it shall be taken up on the call of any member, without the putting of a question therefor: but if not so moved, it shall lose its precedence for the day. And whenever three bills have been thus moved the house shall go into committee of the whole upon them without further order. But no bill or other matter shall be taken out of its order, except by vote of two-thirds of the members present, nor shall any unprinted bill be taken up unless by order of the house, on one day's notice thereof.

RULE 26. Tuesday and Thursday of each week shall be set apart especially for the consideration of the general orders; but they may be considered on any other day when reached in their order.

RULE 27. Each member shall be furnished daily with a printed list of the general orders, which shall be kept on his files by the sergeant-at-arms, in the same manner as other printed documents.

RULE 28. Any matter may be made a special order for any particular day, by the assent of two-thirds of the members present. But it shall not be in order to make any matter a special order from day to day; and no more than three bills or other matters shall be made the special order for the same day. No special order shall be postponed or rescinded, except by a vote of two-thirds of the members present.

CHAPTER VIII.

OF THE COMMITTEE OF THE WHOLE.

RULE 29. The same rules shall be observed in committee of the whole as in the house, so far as the same are applicable, except that the previous question shall not apply; nor the yeas and nays be taken.

RULE 30. A motion to rise and report progress shall be in order at any stage, and shall be decided without debate.

RULE 31. Bills and other matters shall be considered in committee of the whole in the following manner, viz. : They shall be first read through, if the committee so direct; otherwise they shall be read and considered by sections, leaving the title to be last considered. All amendments, in their proper connection, shall be reported to the house by the chairman.

RULE 32. If at any time when in committee of the whole house, it be ascertained that there is no quorum, the chairman shall immediately report that fact to the speaker.

CHAPTER IX.

OF BILLS.

RULE 33. No bill shall be introduced in the house, except in one of the following modes, viz. :

1. Under the order of introduction of bills by counties in alphabetical order.
2. By unanimous consent of the house.
3. By report of a committee.
4. By order of the house.
5. By message from the senate.

RULE 34. No private bill shall be introduced, but upon a memorial or petition presented to the house and signed by the party or parties praying for the passage of the same, except by order of the house.

RULE 35. The title of all bills introduced shall state concisely the subject-matter of such bills.

RULE 36. Every message from the senate, communicating any bill for the concurrence of the house, shall, with the accompanying documents, if any, be referred to a standing or select committee to consider and report thereon, and every such message, communicating an amendment, shall be submitted to the house for its concurrence unless otherwise ordered.

RULE 37. All bills, whether introduced in the house or communicated by message from the senate, shall, after their second reading, be referred to a standing or select committee, to consider and report thereon. Such committee may report any bill, either with or without amendments, or they may report against the same. All bills favorably reported shall, if the report be agreed to, be committed to the committee of the whole; but where a bill has been reported adversely, and such report shall be agreed to by the house, it shall not go upon the general orders, but shall be considered as rejected.

RULE 38. Bills reported by the committee of the whole shall be subject to debate before the question to agree with the committee in their report is put; but such amendments only shall be in order as were offered in committee of the whole. And where a bill shall be reported by the committee of the whole, with the enacting clause stricken out, and the report shall be agreed to by the house, or a report favorable to the passage of a bill shall be disagreed to by a vote of the house, such bill shall be considered as rejected.

RULE 39. Every bill shall receive three separate readings, previous to its final passage, and the third reading shall be on a day subsequent to that on which the bill passed in committee of the whole, unless the house, by a vote of two-thirds of the members present, shall direct otherwise.

RULE 40. Any bill printed and upon the general orders may be referred to the sub-committee of the whole by resolution in writing, reciting its number and its title in full, except it be,

1. One that makes an appropriation from, or may create any charge upon, the state treasury.
2. Which authorizes or imposes any state tax, or which exempts or releases any property from taxation.
3. Which grants or amends any franchise to any individual or individuals, corporation or corporations.
4. Which releases or conveys the interest of the state in any property.
5. Which amends or repeals the charter of any savings bank or insurance company.
6. Which alters, amends or repeals any of the general statutes for the formation of any corporation.
7. Which alters, amends or repeals the charter of any railroad, plank-road or turnpike company, or of any private corporation or which removes any restriction from any such company or increases or decreases the fare or compensation for traveling on the road or roads of any such company.
8. Which alters or amends the charters of any of the cities of this state.

Bills in such committees shall be considered in the same manner as in committee of the whole house, except that the ayes and nays shall be taken on the question of reporting any bill and that the assent of a majority of all the members of the committee shall be required to a favorable report.

The clerk of the house shall act as the clerk of such committee, and keep a journal of its proceedings and he shall submit with each report of the committee, a record of the action of the committee upon it; which report and record shall be printed and lie on the table one day before consideration by the house.

RULE 41. No bill except such as shall be reported by the sub-committee of the whole in accordance with rule 40, shall be ordered to a third reading until it shall have been considered in committee of the whole; nor shall it be in order to refer any bill to a standing committee to report complete unless by the vote of two-thirds of the members present.

RULE 42. No bill originating in the assembly shall be put upon its third reading until it shall have been reported by the committee on engrossed bills as correctly engrossed, unless by unanimous consent. Nor shall any bill be read the last time, unless it shall have been once printed, without the consent of two-thirds of the members present.

RULE 43. The third reading of bills shall take place in the order in which they have been ordered to a third reading, unless the house, by a vote of two-thirds of the members present, direct otherwise, or the bill to be read be laid on the table. And the question on the final passage of every bill shall be taken immediately after such third reading, and without debate.

RULE 44. The same vote that would be required to pass any bill shall be requisite to carry a reconsideration thereof. But the final vote upon the passage of any bill creating, continuing or renewing any incorporation otherwise than municipal, shall not be reconsidered whenever such bill shall be rejected on its last reading.

RULE 45. A register shall be kept by the clerk of all bills introduced in the house, or transmitted for concurrence from the senate, in which shall be recorded, under appropriate heads, the progress of such bills, from the date of their introduction to the time of their transmission : if assembly bills, to the governor, or, if senate bills, their return to the senate.

CHAPTER X.

ON MOTIONS AND THEIR PRECEDENCE.

RULE 46. When a question shall be under consideration, no motion shall be received except as herein specified, which motions shall have precedence in the order stated, viz.:

1. For an adjournment of the house.
2. A call of the house.
3. For the previous question.
4. To lay on the table.
5. To postpone indefinitely.
6. To postpone to a certain day.
7. To go into committee of the whole on the pending subject immediately.
8. To commit to a committee of the whole.
9. To commit to a standing committee.
10. To commit to a select committee.
11. To amend.

RULE 47. The motion to adjourn for the day and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate of the main question.

RULE 48. Every motion or resolution shall be first stated by the speaker, or read by the clerk, before debate and immediately before putting the question. And every motion, except those specified in subdivisions one to ten, inclusive, of the forty-sixth rule, shall be reduced to writing, if the speaker or any member desire it.

RULE 49. After a motion shall be stated by the speaker, it shall be deemed in the possession of the house, but may be withdrawn at any time before it shall be decided or amended.

RULE 50. The motions to adjourn, to take a recess, and to adjourn for a longer period than one day, shall always be in order; but the latter motion shall not preclude debate.

RULE 51. No motion for reconsideration of any vote shall be in order, unless made on the same day or on the legislative day next following that on which the decision proposed to be reconsidered, took place, nor unless made by a member who voted with the majority; except in the case of bills returned by the governor for correction. A motion to reconsider being put and lost shall not be renewed; nor shall any subject or vote be a second time reconsidered without unanimous consent.

CHAPTER XI.

OF RESOLUTIONS.

RULE 52. The following classes of resolutions shall lie over one day for consideration, after which they may be called up, as of course, under their appropriate order of business.

1. All concurrent resolutions.

2. Resolutions containing calls for information on the executive department.
3. Resolutions giving rise to debate, except such as relate to the disposition of matters immediately before the house, such as relate to the business of the day on which they are offered, and such as relate to adjournment or taking a recess for the day.

RULE 53. All resolutions for printing extra copies of documents shall be referred to the committee on printing, who shall report on each resolution within seven days after such reference.

RULE 54. All other resolutions calling for or leading to expenditures for the uses of the legislature, shall be referred to, and reported on, by the committee on the expenditures of the house, unless the house shall designate some other committee.

CHAPTER XII.

OF THE PREVIOUS QUESTION.

RULE 55. The "previous question" shall be as follows: "*Shall the main question be now put?*" and until it is decided shall preclude all amendments or debate. When, on taking the previous question, the house shall decide that the main question shall not now be put, the main question shall be considered as still remaining under debate. The "main question" shall be on the passage of the bill, resolution or other matter under consideration; but when amendments are pending, the question shall first be taken upon such amendments in their order; and when amendments have been adopted in committee of the whole, and not acted on in the house, the question shall be taken upon such amendments in like order, and, if the previous question has been ordered, without further debate or amendment.

CHAPTER XIII.

OF THE ASSEMBLY CHAMBER AND THE PRIVILEGES OF ADMISSION TO THE FLOOR THEREOF.

RULE 56. The use of the assembly chamber may be granted to the state agricultural society, the state medical society, and such other societies as are required by law to report to the legislature. No application for the use of the chamber for any other purpose shall be entertained without the unanimous consent of the house.

RULE 57. The following classes of persons shall be entitled to admission to the floor of the house during the session thereof, viz.:

1. The governor and lieutenant-governor.
2. The members of the senate.
3. The state officers and their deputies.
4. The regents of the university.
5. The capitol commissioners.
6. Persons in the exercise of an official duty directly connected with the business of the house.
7. The reporters for the press as provided by subdivision seven of rule two. *See subdivision 7 of rule 2.*
8. Ex-speakers of the assembly.

No other person shall be admitted to the floor during the session except upon the permission of the speaker; and persons so admitted shall be allowed to occupy places only in the seats in the rear of the

assembly chamber. All permits granted by the speaker may be revoked by him at pleasure, or upon the order of the house.

CHAPTER XIV.

MISCELLANEOUS PROVISIONS.

RULE 58. In all cases of the absence of a quorum during the session of the house, the members present may take such measures as they shall deem necessary to secure the presence of a quorum, and may inflict such censure or pecuniary penalty as they may deem just, on those who, on being called on for that purpose, shall render no sufficient excuse for their absence.

RULE 59. When the house shall be equally divided on any question, including the speaker's vote, the question shall be deemed to be lost.

RULE 60. If any question contains several distinct propositions, it shall be divided by the chair at the request of any member, but a motion to strike out and insert shall be indivisible.

RULE 61. In all cases where a bill, order, motion or resolution shall be entered on the journal, the name of the member introducing or moving the same shall also be entered on the journal.

RULE 62. The yeas and nays may be taken on any question whenever so required by any ten members (unless a division by yeas and nays be already pending), and when so taken shall be entered on the journal.

RULE 63. The journal of each day's proceedings of the house shall be printed, so that it shall be laid on the tables of members within two days after its approval, and the sergeant-at-arms shall cause the printed journals to be kept on files in the same manner as other printed documents.

RULE 64. No reporter for the assembly, who has an appointment as reporter in the senate, shall receive any order for stationery from the clerk of the assembly.

RULE 65. No standing rule or order of the house shall be changed, suspended or rescinded, unless one day's notice shall have been given of the motion therefor, nor shall such change be made unless by a vote of a majority of all the members elected to the assembly; any such rule or order, however, may be suspended by unanimous consent. But such notice shall not be necessary on the last day of the session. The notice and motion shall in all cases state specifically the object of the suspension, and every case of suspension of a rule under such notice and motion shall be held to apply only to the object specified therein. Nor shall the forty-second rule, as far as it applies to any bill requiring a two-thirds vote, be altered, rescinded or suspended, unless two-thirds of all the members elected to the house agree to such alteration, rescinding or suspending.

RULE 66. The following committees shall each be entitled to one clerk and messenger; to be appointed by the speaker :

1. Ways and means.
2. Judiciary.
3. Cities.
4. Canals.
5. Railroads.
6. Commerce and navigation.

And the following committees shall each be entitled to one clerk and messenger jointly:

7. Insurance, two-thirds and three-fifths bills, and rules.
8. Banks, agriculture, and expenditures of the executive department.
9. Claims, state prisons, and Indian affairs.
10. Internal affairs, and charitable and religious societies.
11. Public education, joint library, and expenditures of the house.
12. Roads and bridges, and affairs of villages.
13. Public printing, militia, and civil divisions.
14. Trade and manufacture, grievances, and manufacture of salt.
15. Public health, petitions of aliens, and state charitable institutions.
16. Privileges and elections, federal relations, and public lands.

RULE 67. No persons, except members of the legislature, and the officers thereof, shall be permitted within the clerk's desk, or the rooms set apart for the use of the clerk, during the session of the house.

RULE 68. Whenever any person shall be brought before the bar of the house, for adjudged breach of its privileges, no debate shall be in order, but the speaker shall proceed to execute the judgment of the house without delay or debate.

RULE 69. No more than sixteen pages shall be allowed upon the floor of the assembly chamber at any one time. Each page shall be furnished with a numbered badge, and shall occupy a seat corresponding with his number, to be provided and designated by the sergeant-at-arms, who shall also select one of his assistants, whose sole duty it shall be to take charge of said pages and see that this rule of the assembly is not violated.

RULE 70. It shall be the duty of the stenographer of the assembly to be present at every session of the house. He shall take stenographic notes of the debates in the house and in committee of the whole; and shall furnish a copy of the same written out in long hand, to any member applying therefor, upon the payment to said stenographer of ten cents for each folio, which charge said stenographer may receive in addition to his fixed compensation. The stenographic notes of the debates shall be filed with the clerk, and shall form a portion of the archives of the house. The clerk of the assembly is authorized to furnish said stenographer with proper stenographic blank books in which to record said debates, not to exceed fifty dollars for any annual session of the legislature.

RULE 71. All questions of order, as they shall occur, with the decisions thereon, shall be entered in the journal, and at the close of the session, a statement of all such questions and decisions shall be printed at the close of and as an appendix to the journal.

On motion of Mr. Sherman said report was laid on the table and ordered printed.

On motion of Mr. Vedder the privileges of the floor were extended to Hon. Mr. Manley.

Messrs. Holmes, Willis, Sherman, Whitmore and Berry presented petitions of citizens of the counties of Delaware, Chenango, Cortland, Madison and Oneida, for the passage of an act repealing the law of 1874 authorizing the taxation of the New York and Oswego Midland Railroad; which were read and laid on the table.

Mr. Holmes presented a remonstrance of citizens of Guilford, Chenango county, on the same subject; which was read and laid on the table.

Mr. Kennaday presented a petition of justices of the Marine court in relation to the act relating to courts of record; which was read and referred to the committee on the judiciary.

Mr. Husted presented a petition of the firemen connected with the Capitol for back pay due them for 1874; which was read and referred to the committee on ways and means.

Mr. Sherman presented a memorial of the board of supervisors of the county of Oneida, submitting facts and statistics relative to certain lateral canals; which was read and referred to the committee on canals.

Mr. Prince presented a petition of veteran soldiers relative to change in the Soldiers' Homestead act; which was read and referred to the committee on militia.

Mr. Hanrahan presented a petition of Edward Burns for relief; which was read and referred to the committee on claims.

Mr. Friend offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general, local and special laws be requested to consider the expediency of so amending existing laws regulating the election of supervisors in the several towns of this State as to provide for representation in said boards proportioned to population; also, as to the expediency of providing for the election of a supervisor at large in the several counties of the State to act in the board of supervisors as presiding officer or chairman thereof.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Daly offered for the consideration of the House a resolution, in the words following:

Resolved, That the annual message of his Excellency the Governor be made a special order for Tuesday evening, February 2, at 7½ o'clock, and that a session of the House be held at that time for that purpose.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. G. Taylor offered for the consideration of the House a resolution, in the words following:

Resolved, That 1,500 copies of the annual report of the Superintendent of Public Instruction and the Regents of the University on the New York State Normal School at Albany, be printed for the use of said school.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Braman offered for the consideration of the House a resolution, in the words following:

Resolved, That the following names be added to the list of reporters for the public press: R. M. Griffin, Albany Evening Post; D. L. Wing, Flushing Daily Times.

Ordered, That said resolution be referred to the committee on rules.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to provide for the deficiency in the appropriation for the salaries of certain officers of the government."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. T. C. Campbell offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 6,000 copies of the Comptroller's

report be printed, 4,000 copies for the Legislature and 2,000 copies for the use of the Comptroller.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Bradley offered for the consideration of the House a resolution, in the words following:

Resolved, That the report of the committee on expenditures of the House be now taken from the table, and that the resolution favoring the appointment of P. I. Mahon as an extra assistant doorkeeper, made necessary by the restoration of the cloak-room partition, be now considered.

Mr. Husted called for a division of the question.

Mr. Speaker put the question whether the House would agree to the first portion of said resolution, and it was determined in the negative.

By unanimous consent, Mr. Page introduced a bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of the valuation of the year 1874, for the payment of extraordinary repairs of the canals,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, presented a communication from the Canal Board on the same subject; which was read and referred to the same committee.

The bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the Code of Procedure,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Lillybridge	Scudder
Badger	Farrar	Lincoln	Seward
Barrow	Faulkner	Mackin	Shattuck
Beardsley	Fay	Merwin	Sherman
Benedict	Fream	W. Miller	Sherwood
Berry	Friend	Oakley	Slingerland
Bishop	Gallagher	O'Keefe	Speaker
Bowen	Green	Page	Stauf
Bradley	Hammond	Peck	Stephens
Braman	Hauschel	Petty	Struble
Brown	Hepburn	Pierson	G. Taylor
Calkins	Hess	Pope	W. F. Taylor
T. C. Campbell	Hogan	Prince	Tremain
T. J. Campbell	Holmes	Reilly	Vosburgh
Christopher	Hussey	Rich	Waehner
Clark	W. Johnson	Roscoe	Wellington
Coffey	W. A. Johnson	Russell	West
Comstock	Kennaday	Sanford	Wetherbee
Cooke	Kshinka	Schenck	Whitmore
Costigan	Lawson	Schieffelin	Willis
Decker	Lewis	Schuyler	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act providing for the forfeiture of property in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

• { AYES 78 }
 { NOES 4 }

Those who voted in the affirmative, were

Alvord	Daly	Mackin	Seward
Badger	Davis	McAfee	Shattuck
Beardsley	Decker	Merwin	Sherwood
Benedict	Dessar	W. Miller	Slingerland
Bennett	Ely	O'Keefe	Smith
Berry	Farrar	Page	Speaker
Bishop	Fream	Peck	Stauf
Bowen	Friend	Petty	Stephens
Bradley	Griffin	Pierson	Struble
Braman	Hauschel	Pope	W. F. Taylor
Brown	Hess	Prince	Tremain
Calkins	Hogan	Reilly	Vosburgh
T. C. Campbell	Holmes	Roscoe	Wellington
T. J. Campbell	Hussey	Russell	Wenzel
Christopher	Husted	Sanford	West
Clark	W. A. Johnson	Schenck	Wetherbee
Comstock	Kennaday	Schieffelin	Whitmore
Cooka	Kshinka	Schuyler	Willis
Costigan	Lewis	Scudder	Worth
Daggett	Lillybridge		

Those who voted in the negative, were

Hepburn	W. Johnson	Lincoln	Rich
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 6 of title 2, chapter 10. of part 3 of the Revised Statutes, concerning security for the payment of costs," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
 { NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	Lillybridge	Shattuck
Badger	Dessar	Mackin	Slingerland
Beardsley	Ely	McAfee	Smith

Benedict	Fay	Merwin	Speaker
Bennett	Fream	O'Keefe	Stauf
Berry	Friend	Page	Stephens
Bowen	Green	Peck	Struble
Bradley	Griffin	Petty	G. Taylor
Braman	Hauschel	Pierson	W. F. Taylor
Calkins	Hess	Pope	Tremain
T. C. Campbell	Hogan	Prince	Vosburgh
Christopher	Holmes	Roscoe	Waehner
Clark	Hussey	Russell	Wellington
Cleary	W. Johnson	Sanford	Wenzel
Coffey	Kennaday	Schieffelin	West
Cooke	Kshinka	Schuyler	Whitmore
Daggett	Lawson	Scudder	Willis
Daly	Lewis	Seward	Worth
Davis			

For the negative,

Hepburn

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' and to suspend the collection of taxes assessed under the same," was being read a third time, when

Mr. Alvord moved to refer the same to the committee on the judiciary, retaining its place on the calendar of third reading of bills.

Mr. Davis moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

The bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Daly	Lawson	Schuyler
Barrow	Decker	Lewis	Scudder
Beardsley	Dessar	Lillybridge	Seward
Benedict	Farrar	Lincoln	Shattuck

Bennett	Faulkner	Mackin	Sheil
Berry	Fay	• McAfee	Slingerland
Bishop	Fream	Merwin	Smith
Bradley	Gallagher	Oakley	Speaker
Braman	Green	O'Keefe	Stephens
Brogan	Hammond	Page	Struble
Brown	Hanrahan	Peck	G. Taylor
Calkins	Hauschel	Petty	Tremain
T. C. Campbell	Hepburn	Pierson	Vosburgh
T. J. Campbell	Hess	Prince	Waehner
Christopher	Holmes	Reilly	Wellington
Clark	Husted	Rich	West
Cleary	W. Johnson	Roscoe	Whitmore
Coffey	Kennaday	Russell	Willis
Comstock	Kirk	Schenck	Worth
Daggett	Kshinka	Schieffelin	

Those who voted in the negative, were

Badger	Griffin	Pope	Sherwood
Bowen	W. A. Johnson	Sanford	Wenzel
Davis	W. Miller		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county, in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stock of said railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Rich
Beardsley	Dessar	Kennaday	Sanford
Benedict	Ely	Kirk	Schuyler
Berry	Farrar	Kshinka	Shattuck
Bowen	Faulkner	Lewis	Sherwood
Bradley	Fay	Lillybridge	Slingerland
Braman	Gallagher	Lincoln	Speaker
Brown	Green	Mackin	Struble
T. J. Campbell	Hammond	McAfee	G. Taylor
Christopher	Hauschel	Merwin	W. F. Taylor
Clark	Hess	Oakley	Tremain
Comstock	Hogan	Peck	Vosburgh
Cooke	Holmes	Petty	Wenzel
Costigan	Husted	Pierson	Whitmore
Daggett	W. Johnson	Pope	

Those who voted in the negative, were

Bennett	Fream	Roscoe	Sherman
Bishop	Griffin	Russell	Sheil
Brogan	Hepburn	Schenck	Smith
Calkins	Hussey	Schieffelin	Wellington
T. C. Campbell	Prince	Scudder	West
Daly	Reilly	Seward	Willis
Davis			

Mr. Alvord moved to reconsider the vote just taken.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Lawson	Schieffelin
Badger	Daly	Lewis	Schuyler
Barrow	Davis	Lillybridge	Scudder
Beardsley	Decker	Lincoln	Seward
Benedict	Dessar	Mackin	Shattuck
Bennett	Farrar	McAfee	Sherman
Berry	Faulkner	Merwin	Sherwood
Bishop	Fay	W. Miller	Sheil
Bowen	Gallagher	Oakley	Slingerland
Bradley	Green	O'Keefe	Smith
Braman	Griffin	Page	Speaker
Brogan	Hauschel	Peck	Stauf
Brown	Hepburn	Petty	Stephens
Calkins	Hess	Pierson	Struble
T. C. Campbell	Hogan	Pope	W. F. Taylor
T. J. Campbell	Hussey	Prince	Tremain
Christopher	Husted	Reilly	Vosburgh
Clark	W. Johnson	Roscoe	Waehner
Cleary	W. A. Johnson	Russell	Wenzel
Comstock	Kennaday	Sanford	Whitmore
Cooke	Kirk	Schenck	Willis
Costigan	Kshinka		

On motion of Mr. Alvord, said bill was referred to the committee on the judiciary, with power to report at any time, retaining its place on the calendar of third reading of bills.

By unanimous consent, Mr. Lincoln introduced a bill entitled "An act to assess and tax corporations, express, telegraph and navigation companies, at the Comptroller's office in Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

On motion of Mr. Lincoln, said bill was ordered printed.

By unanimous consent,

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to

reorganize the local government of the city of New York,' passed April 30, 1873," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill entitled "An act amendatory of the several acts relating to Washington park, in the city of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page moved that the House do now adjourn until 7½ o'clock Monday evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Thereupon, at 1 o'clock the House adjourned.

MONDAY, FEBRUARY 1, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morrow.

The journal of Friday, the 29th ult., was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,' which was read the first time, and by unanimous consent was also read the second, and time referred to the committee on the judiciary.

"An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That 5,000 copies of the Comp-

troller's report be printed ; 3,500 copies for the use of the Legislature and 1,500 copies for the use of the Comptroller.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following :

Resolved (if the Assembly concur), That 500 extra copies of the report of the State Commissioner in Lunacy be printed for the use of the Senate and 500 for the use of the Commissioner.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following :

Resolved (if the Assembly concur), That 500 copies of the report of the Quarantine Commissioners be printed for the use of the health officer.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Hanrahan introduced a bill entitled "An act concerning certain female habitual drunkards, vagrants and prostitutes in the city of Buffalo and county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beach introduced a bill entitled "An act to amend an act entitled 'An act to regulate places of public amusement in the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. T. C. Campbell introduced a bill entitled "An act to confirm the title of Michael Murphy to certain real estate in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

Mr. Sherman introduced a bill entitled "An act to prevent fishing with pound nets in the waters of the Great South Bay of Long Island, in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, the bill entitled "An act for the protection of fish in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Sherman presented the annual report of the Commissioners of Fisheries; which was laid on the table and ordered printed.

(See Doc. No. 46.)

In connection therewith Mr. Sherman offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That 2,000 extra copies of the seventh annual report of the Commissioners of Fisheries of the State of New York be printed for the use of the Legislature and a similar number for said commissioners.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Hammond introduced a bill entitled "An act in relation to the United States deposit fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Lincoln introduced a bill entitled "An act to amend chapter 244 of the Laws of 1862, entitled 'An act to provide for taxing dogs and for the collection of such tax, and to create a fund to pay for injuries upon sheep occasioned by dogs,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Cleary introduced a bill entitled "An act authorizing the discharge of judgments against bankrupts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to regulate conditional sales of goods, chattels and personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hepburn introduced a bill entitled "An act to repeal chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to provide for the payment of certain officers and employees of the Assembly for their services," reported in favor of the passage of the same, with amendments, and the title amended so as to read as follows: "An act to provide payment for the services of certain officers and employees of the Assembly," which report was agreed to.

On motion of Mr. Lincoln, and by unanimous consent, said bill was ordered to a third reading.

Messrs. Cleary and Ely presented petitions of attorneys at law of the counties of Otsego and Rensselaer, for the passage of a law permitting the general term justices of the supreme court of the third judicial department, to hold the general term of said court at Binghamton; which were read and referred to the committee on the judiciary.

By unanimous consent, on motion of Mr. Alvord, the order of business, third reading of bills, was laid on the table.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes."

"An act in relation to county treasurers."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Sherman, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Alvord moved that the roll of members be called, for the purpose of ascertaining if a quorum was present.

The roll was then called, and the following members answered to their names:

Alvord	Daggett	W. Johnson	Sanford
Badger	Davis	W. A. Johnson	Schuyler
Barkley	Decker	Kshinka	Scudder
B row	Dessar	Law	Seward

Beach	Fish	Lillybridge	Shattuck
Bear'sley	Fream	Lincoln	Sherman
Bennett	Gallagher	McAfee	Sherwood
Bishop	Green	Merwin	Slingerland
Bordwell	Hammond	J. W. Miller	Struble
Bowen	Hanrahan	W. Miller	G. Taylor
Braman	Hauschel	Muller	Tewksbury
Brown	Hepburn	Page	Tremain
Calkins	Hess	Peck	Vosburgh
T. C. Campbell	Hogan	Pierson	Waehner
Christopher	Holmes	Ransom	Wellington
Clark	Hussey	Roscoe	Whitmore
Cole	Husted	Russell	Willis
Comstock	Ives		

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A quorum being found to be present,

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing-bridge over the Genesee Valley canal in West avenue, in the city of Rochester."

"An act to amend an act entitled 'An act to create a board of commissioners of emigration, and to confer certain powers thereon,' passed April 26, 1873."

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Davis, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Davis, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Davis, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

Mr. G. Taylor moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act relating to children."

"An act for the incorporation of societies for the prevention of cruelty to children."

"An act to authorize the county of Essex to borrow money for the purpose of enlarging, repairing and improving its county poor-house, and to authorize the issue of bonds and provide for the payment thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hammond, from said committee, reported in favor of the passage of said bills, the first and second mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

On motion of Mr. T. C. Campbell, at 9 o'clock and 25 minutes, the House adjourned.

TUESDAY, FEBRUARY 2, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Schwartz.

The journal of yesterday was read and approved.

Mr. Speaker presented the following communication from his Excellency the Governor:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *February 2, 1875.*

To the Assembly:

I have the honor to transmit herewith the annual report of the Cooper Union for the Advancement of Science and Art, for the year ending December 31, 1874.

SAMUEL J. TILDEN.

Ordered, That said communication be laid on the table and printed.
(*See Doc. No. 48.*)

Also, the following:

STATE OF NEW YORK — EXECUTIVE CHAMBER, }
ALBANY, *February 2, 1874.*

To the Legislature:

I have the honor to transmit herewith copies of joint resolutions of the general assemblies of the States of Ohio, Missouri and Georgia, and a copy of a resolution of the house of representatives of the State of Pennsylvania, relating to recent occurrences in the State of Louisiana.

SAMUEL J. TILDEN.

Ordered, That said communication be laid on the table and printed.
(*See Doc. No. 49.*)

Mr. Speaker presented a communication from the Attorney-General, in answer to a resolution of the House relative to stationery orders, in the words following:

STATE OF NEW YORK,
OFFICE OF THE ATTORNEY-GENERAL, }
ALBANY, *January 30, 1875.*

To the Honorable the Assembly of the State of New York:

The Attorney-General, in answer to the resolution of the Assembly of January 27, 1875, would report:

That by chapter 530 of the Laws of 1853, as amended by chapter 5 of the Laws of 1854, the Clerks of either House were authorized and required to furnish to the members and officers of their respective Houses the requisite supply of stationery, the aggregate for each not to exceed, with the newspapers furnished, the sum of thirty dollars. By chapter 1, section 2, of the Laws of 1859, the Clerks were authorized, and it was made obligatory upon them, to issue to members orders, when requested by them, upon such stationery as the member should designate, not to exceed in the aggregate for stationery and newspapers the sum of thirty dollars. These orders were to be issued when requested

by members, to enable them to supply themselves with stationery, instead of receiving it directly from the Clerks.

By chapter 395 of the Laws of 1860 the Clerks of the Senate and Assembly were authorized to procure and purchase all necessary stationery for official use in their respective departments. Having purchased all that may be necessary for use in their departments, it would seem to make it their duty respectively to furnish the members with the amount needed by them, thus doing away with the necessity for orders upon stationers. If this be the fair construction of the act of 1860, it must be deemed to modify the act of 1859, so as to change the latter act from an imperative direction to issue the orders to members when requested to a mere discretionary authority to issue them.

It has been suggested that the act of 1860 merely authorizes the Clerks to purchase the stationery necessary for use at their own desks, and was not designed to authorize them to purchase for the use of members.

It is the opinion of the Attorney-General that the act contemplates the purchase by the Clerks of all the stationery necessary for the use of members and other persons entitled to be furnished with stationery. The title of the act is "An act in relation to legislative stationery," and the terms of it are broad enough to comprehend all the stationery needed by the Legislature for any use.

It is not of any great practical importance whether the construction above suggested be right or wrong, as it is the duty of the Clerks of the respective houses to see that no member or other officer receive stationery to an amount exceeding thirty dollars in the aggregate—whether it be received in orders or directly from them.

If a member receives orders for newspapers and stationery to an amount in the aggregate of thirty dollars, no stationery should be furnished him by the Clerk.

Again, it was the design of the act of 1859 that the orders drawn upon stationers should only be paid in stationery, and although the certificate of the party to whom it was issued upon the back of the order, that he had received the stationery, would be a sufficient voucher for the Clerk, yet he might go back of it and refuse to pay it, if he could show that the stationery had not in fact been paid to the drawee. And no reason can be perceived why a member would not be satisfied with receiving his stationery directly from the Clerk, instead of receiving an order upon some stationer for it.

It is not to be assumed that any member or officer of the Legislature would receive an order with the intention of negotiating for money or articles other than stationery. To effect a purpose of that kind it would be necessary for a member at least not only to certify to a falsehood, but to violate his official oath to support the Constitution. The ninth section of article ten provides that "no officer whose salary is fixed by the Constitution shall receive any additional compensation." The salaries of members of the Legislature are now fixed by the Constitution, and while that does not preclude them from receiving necessary stationery for their use as such members, it does preclude them from receiving, through orders for stationery or otherwise, any compensation in addition to their salaries.

All which is respectfully submitted.

D. PRATT,
Attorney-General.

The Senate returned the bill entitled "An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875," with a message informing of concurrence in the passage of the same, with the following amendments :

Section 1, line 4 of the engrossed bill, strike out the words "Thursday, December 3," and insert in lieu thereof the words "Wednesday, January 27." Line 5, strike out the word "four" and insert in lieu thereof the word "five." Line 31, strike out the word "second" and insert in lieu thereof the word "seventeenth." Line 66, strike out the word "second" and insert in lieu thereof the word "seventeenth." Line 68, strike out all after the word "weeks" down to and including the word "papers" in line 69, and insert in lieu thereof the following : "In the papers designated by resolution of said board of supervisors."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 108 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. A. Johnson	Russell
Badger	Decker	Keenan	Sanford
Barkley	Dessar	Kennaday	Schenck
Barrow	Ely	Kirk	Schuyler
Beach	Farrar	Krack	Scudder
Beardsley	Faulkner	Kshinka	Seward
Bennett	Fay	Law	Shattuck
Berry	Fish	Lawrence	Sherman
Bishop	Fream	Lawson	Sherwood
Bordwell	Friend	Lewis	Sheil
Bowen	Gallagher	Lillybridge	Slingerland
Bradley	Gedney	Lincoln	Speaker
Braman	Green	Mackin	Stacy
Brogan	Griffin	McAfee	Struble
Brown	Hammond	McGowan	Talmadge
Burtis	Hanrahan	McGroarty	G. Taylor
Calkins	Hauschel	Merwin	W. F. Taylor
T. C. Campbell	Hepburn	J. W. Miller	Tewksbury
T. J. Campbell	Hess	W. Miller	Vosburgh
Christopher	Hinckley	Muller	Wellington
Clark	Hogan	Oakley	Wenzel
Cleary	Holmes	Page	West
Cole	Houghton	Peck	Wetherbee
Comstock	Hussey	Pierson	Willis
Cooke	Husted	Pope	Witbeck
Costigan	Ives	Prince	Wurts
Daggett	W. Johnson	Reilly	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That the joint rules of the last Legislature be the joint rules for the present session until otherwise ordered, and that the same be referred to the committee on rules of each House for revision.

On motion of Mr. Sherman, and by unanimous consent, said resolution was adopted.

This being the day assigned by the rules for the consideration of general orders,

The House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to create a board of commissioners of emigration, and to confer certain powers thereon,' passed April 26, 1873."

"An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election."

"An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ely, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. T. C. Campbell moved that said bill be referred to the first committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Ely, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Ely, from said committee, also reported in favor of the passage of said third mentioned bill, and the title amended by inserting after the word "amend" the words "section 2, chapter 225 of the act," and by striking out the words "an act;" which report was agreed to, and said bill ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to create a board of commissioners of emigration, and to confer certain powers thereon,' passed April 26, 1873."

"An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose."

"An act for the better enforcement of certain penal laws."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. W. Miller, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, and the title amended so as to read "An act in relation to the board of commissioners of emigration;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. W. Miller, from said committee, also reported in favor of the passage of said second and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act amendatory of the several acts relating to Washington park, in the city of Albany."

"An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime."

"An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Shattuck, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Decker introduced a bill entitled "An act to incorporate and change the name of the Associate Congregation of Bovina and to authorize said society to take and hold by gift, devise, purchase or otherwise, real and personal estate, and to sell their glebe," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Hanrahan introduced a bill entitled "An act to authorize the common council of the city of Buffalo to order to be assessed and cause to be raised by local assessment the amount of the expense incurred in rebuilding the westerly end of the sewer in Breckenridge street in said city upon and from the lands benefited thereby," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Kennaday introduced a bill entitled "An act to provide for the organization of a corps of vaccinators for the city of Brooklyn, and for the removal of persons having contagious diseases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Talmadge introduced a bill entitled "An act to provide for assessing and collecting the cost of lands taken for Prospect park, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Schenck introduced a bill entitled "An act relating to the improvement of the Erie canal at Fort Plain, and the approaches to the bridge across the canal at that place," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Wellington introduced a bill entitled "An act to amend section 109 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. T. C. Campbell introduced a bill entitled "An act to enable aliens to purchase, hold, grant, convey and devise real estate, and to confirm the titles of aliens to real estate, and of persons holding from or through aliens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend an act entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,' passed March 28, 1872,

and to authorize corporations created under the Laws of other States or territories to hold and convey real estate in this State in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Seward introduced a bill entitled "An act in relation to Fifth avenue in the city of New York, and to the improvement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. T. J. Campbell introduced a bill entitled "An act for the support and maintenance of prisoners confined upon civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGowan introduced a bill entitled "An act for the relief of Anthony J. Bleecker," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tremain introduced a bill entitled "An act to amend chapter 626 of the Laws of 1858, entitled 'An act to amend an act to provide for the incorporation of companies to construct plank-roads, and of companies to construct turnpike roads,' passed May 7, 1847, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Lincoln introduced a bill entitled "An act to authorize the trustees of the village of Canandaigua to restrain and regulate the construction of wooden buildings and roofs in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Oakley introduced a bill entitled "An act in relation to the summoning of jurors for circuit courts and courts of oyer and terminer, county courts and courts of sessions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Pope introduced a bill entitled "An act to amend an act entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith, for the use of the Methodist Episcopal Church,' passed February 20, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Fish introduced a bill entitled "An act to amend an act passed April 3, 1867, entitled 'An act in relation to railroads held under lease,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Talmadge, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to provide payment for the services of certain officers and employees of the Assembly."

"An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes."

"An act for the incorporation of societies for the prevention of cruelty to children."

"An act relating to children."

"An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing-bridge over the Genesee Valley canal in West avenue in the city of Rochester."

"An act to authorize the county of Essex to borrow money for the purpose of enlarging, repairing and improving its county poor-house, and to authorize the issue of bonds and provide for the payment thereof."

Messrs. Badger, West and Wenzel presented petitions praying that the general term of the supreme court be held in the city of Binghamton; which were read and referred to the committee on the judiciary.

Mr. Page presented a petition for an appropriation for the benefit of the Deaf Mutes' Journal; which was read and referred to the committee on ways and means.

Mr. Prince presented a petition of veteran soldiers as to an amendment to the soldiers' homestead law; which was read and referred to the committee on militia.

By unanimous consent, on motion of Mr. Sherman, the House proceeded to the consideration of the report of the committee on rules, viz:

The committee on rules respectfully recommend the adoption of the following code for the regulation of business for the current legislative term:

CHAPTER I.

OF THE POWERS AND DUTIES OF THE SPEAKER.

RULE 1. The speaker shall take the chair each day at the hour to which the house shall have adjourned. He shall call to order, and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

RULE 2. He shall possess the powers and perform the duties herein prescribed, viz.:

1. He shall preserve order and decorum.
2. He shall decide all questions of order, subject to appeal to the house. On every appeal he shall have the right, in his place, to assign his reason for his decision.
3. He shall appoint all committees, except where the house shall otherwise order.
4. He may substitute any member to perform the duties of the chair for a period not exceeding two consecutive legislative days, but for no longer period, except by special consent of the house.
5. When the house shall be ready to go into committee of the whole, he shall name a chairman to preside therein.
6. He shall certify the passage of all bills by the house, with the date thereof, together with the fact whether passed as a majority, three-fifths or two-thirds bills, as required either by the constitution or laws of this state.
7. He shall designate the persons who shall act as reporters for the public press, not exceeding twenty in number; but no reporter shall be admitted to the floor who is not an authorized representative of a daily paper. Such reporters, so appointed, shall be entitled to such seats as the speaker shall designate, and shall have the right to pass to and from such seats in entering and leaving the assembly chamber.

CHAPTER II.

OF THE ORDER OF BUSINESS.

RULE 3. The first business of each day's session shall be the reading of the journal of the preceding day, and the correction of any errors that may be found to exist therein. After which, except on days and at times set apart for the consideration of general or special orders, the order of business, which shall not be departed from, except by unanimous consent of the house, shall be as follows, viz.:

1. Introduction of bills by counties, in alphabetical order.
2. Reports of standing committees in the order in which the committees are stated in rule fourteen.
3. Presentation of petitions by counties, in alphabetical order.
4. Motions and resolutions, to be called for by counties in reverse order.
5. Reports of select committees.
6. Third reading of bills.
7. The preferred calendar of general orders.
8. Unfinished business of the general orders.
9. Special orders of the day.
10. General orders.

Messages from the governor and from the senate, communications from state officers, and reports from the committees on engrossed bills and public printing, may be received under any order of business.

CHAPTER III.

OF THE RIGHTS AND DUTIES OF MEMBERS.

RULE 4. Petitions, memorials, and any other papers addressed to the house, shall be presented by the speaker, or by any member in his place.

RULE 5. Every member presenting a paper shall indorse the same; if a petition, memorial, or report to the legislature, with a brief statement of its subject or contents, adding his name; if a notice or resolution, with his name; if a report of a committee, a statement of such report, with the name of the committee and members making the same; if a bill, a statement of its title, with his name.

RULE 6. Every member who shall be within the bar of the house when a question is stated from the chair, shall vote thereon, unless he be excused by the house, or unless he be directly interested in the question; but no member shall be obliged to vote on any question unless within the bar when his name is called. The bar of the house shall be deemed to include the body of the assembly chamber.

CHAPTER IV.

OF ORDER AND DECORUM.

RULE 7. No member rising to debate, to give a notice, make a motion or report, or to present a petition or other paper, shall proceed until he shall have addressed the speaker, and have been recognized by him.

RULE 8. While a member is speaking, no member shall entertain any private discourse or pass between him and the chair.

RULE 9. While the speaker is putting a question, or a count is being had, no member shall leave his place.

RULE 10. When a motion to adjourn is carried, the members and officers shall keep their seats and places until the speaker declares the house adjourned.

CHAPTER V.

OF ORDER IN DEBATE.

RULE 11. No member shall speak more than once to the same general question, without leave of the house, until every member desiring to speak on the question pending shall have spoken.

RULE 12. If any member, in speaking, transgress the rules of the house, the speaker, or any member, may call to order, in which case the member so called to order shall immediately sit down, and shall not rise unless to explain or proceed in order.

RULE 13. All questions relating to the priority of business, that is, the priority of one question or subject-matter over another, under the same order of business, shall be decided without debate.

CHAPTER VI.

ON COMMITTEES AND THEIR DUTIES.

RULE 14. The standing committees shall be as follows, viz :

To consist each, of nine members :

1. Ways and means.
2. Judiciary.
3. General laws.
4. Canals.
5. Affairs of cities.
6. Railroads.
7. Commerce and navigation.
8. Insurance.
9. Banks.
10. Internal affairs.
11. Affairs of villages.
12. Roads and bridges.
13. Public printing.
14. Public health.
15. Charitable and religious societies.
16. Public education.
17. Militia.
18. Claims.
19. Federal relations.

To consist each, of seven members :

20. State prisons.
21. State charitable institutions.
22. Privileges and elections.
23. Civil divisions.
24. Trade and manufactures.
25. Manufacture of salt.
26. Public lands.
27. Agriculture.
28. Indian affairs.
29. Petitions of aliens.
30. Two-thirds and three-fifths bills.

31. Engrossed bills.
32. Grievances.
33. Expenditures of the house.
34. Expenditures of the executive department.

To consist each, of five members:

35. Rules.
36. Joint library.
37. There shall be also, a committee on "general orders," to be called the "sub-committee of the whole," to consist of sixteen members, viz: two from each judicial district of the state; whose duties are defined in rule 40.

RULE 15. It shall be the duty of each of the several committees to consider and report without unnecessary delay, upon the respective bills and other matters referred to it by the house; and also to inquire into the matters indicated by its name, and to report thereon to the house, any information, and any bill or resolution which it may deem conducive to the public interest.

RULE 16. It shall be the duty of the committee on ways and means to examine into all the departments of the government, whether executive, legislative, judicial or otherwise, where salaries or emoluments are given; to examine, ascertain and report to the house what officers can be dispensed with, and what salaries or emoluments can be reduced, and how far consistent with the public good; and to take such action in regard to section eight of article seven of the constitution of this state as may be requisite.

RULE 17. It shall be the duty of the committee on two-thirds and three-fifths bills to carefully examine all bills coming within the ninth section of the first article, and the fourteenth section of article seven of the constitution of this state; and when any bill shall have passed in committee of the whole house, on which the speaker may entertain doubts whether it comes within the provisions of either of the said sections, it shall be referred to the said committee to examine and report thereon, before the question on the final passage shall be taken.

RULE 18. It shall be the duty of the committee on general laws to consider and report upon all bills and other matters which shall be referred to them. And they shall have authority to report such original general laws and such amendments to existing general laws as they shall deem in accordance with the requirements of the constitution. Every bill of a general character reported by them, shall be placed on a preferred calendar of the general orders, which shall have precedence of the unfinished business of the general orders.

RULE 19. The committee on engrossed bills shall carefully examine, in the order in which they shall be directed by the house to be engrossed for a third reading, all bills so engrossed, and see that the same are correctly engrossed, and they shall immediately report the same in like order to the house before they are read the third time.

RULE 20. It shall be the duty of the committee on public printing to examine and report on all questions of printing referred to them; to examine, from time to time, and ascertain whether the prices charged for printing are in conformity to the contract therefor, and whether it is done in conformity to the orders of the house and without unreasonable delay; to ascertain and report what number of copies ought usually to be printed, and how distributed; and to report to the house,

from time to time, any measures they may deem useful for the economical and proper management of the public printing.

RULE 21. It shall be the duty of the committee on expenditures of the house, and in the executive department, severally to inquire into the said expenditures, and whether the same have been made in conformity to law, and whether proper vouchers exist for the same, and whether the funds provided for the purpose are economically applied, and to report, from time to time, such provisions, laws and regulations as may conduce to economy, and to secure the faithful disbursement of the moneys appropriated by law.

RULE 22. All petitions, memorials and bills, relating to claims upon the state, shall be referred to the standing committee upon claims for examination and report; and said committee shall not consider any such petition, memorial or bill unless it shall be accompanied by a bill of particulars, setting forth the items upon which the claim is based, and the name or names of the *bona fide* owner thereof, and which shall be verified by the affidavit of the claimant; and no report of said committee shall be received unless accompanied by a written statement embodying the items of such claim, and a copy of the affidavit verifying the same, and the reasons for the conclusions of the committee thereon.

RULE 23. No papers now on files of this house, which have been reported upon adversely by a committee on claims, shall be taken therefrom unless the claimant shall present a petition stating in what manner the committee have erred in their report, or that new evidence has been discovered since the report, and setting forth the new evidence in the petition.

CHAPTER VII.

OF THE GENERAL ORDERS AND SPECIAL ORDERS.

RULE 24. The matters referred to the committee of the whole house shall constitute the general orders, and their titles shall be recorded in a calendar kept for that purpose by the clerk, in the order in which they shall be referred severally.

RULE 25. The business of the general orders shall be taken up in the following manner, viz.: The clerk shall announce the title of each bill or other matter, as it shall be reached in its order; whereupon it shall be taken up on the call of any member, without the putting of a question therefor: but if not so moved, it shall lose its precedence for the day. And whenever three bills have been thus moved the house shall go into committee of the whole upon them without further order. But no bill or other matter shall be taken out of its order, except by vote of two-thirds of the members present, nor shall any unprinted bill be taken up unless by order of the house, on one day's notice thereof.

RULE 26. Tuesday and Thursday of each week shall be set apart especially for the consideration of the general orders; but they may be considered on any other day when reached in their order.

RULE 27. Each member shall be furnished daily with a printed list of the general orders, which shall be kept on his files by the sergeant-at-arms, in the same manner as other printed documents.

RULE 28. Any matter may be made a special order for any particular day, by the assent of two-thirds of the members present. But it shall not be in order to make any matter a special order from day to day;

and no more than three bills or other matters shall be made the special order for the same day. No special order shall be postponed or rescinded, except by a vote of two-thirds of the members present.

CHAPTER VIII.

OF THE COMMITTEE OF THE WHOLE.

RULE 29. The same rules shall be observed in committee of the whole as in the house, so far as the same are applicable, except that the previous question shall not apply; nor the yeas and nays be taken.

RULE 30. A motion to rise and report progress shall be in order at any stage, and shall be decided without debate.

RULE 31. Bills and other matters shall be considered in committee of the whole in the following manner, viz.: They shall be first read through, if the committee so direct; otherwise they shall be read and considered by sections, leaving the title to be last considered. All amendments, in their proper connection, shall be reported to the house by the chairman.

RULE 32. If at any time when in committee of the whole house, it be ascertained that there is no quorum, the chairman shall immediately report that fact to the speaker.

CHAPTER IX.

OF BILLS.

RULE 33. No bill shall be introduced in the house, except in one of the following modes, viz.:

1. Under the order of introduction of bills by counties in alphabetical order.
2. By unanimous consent of the house.
3. By report of a committee.
4. By order of the house.
5. By message from the senate.

RULE 34. No private bill shall be introduced, but upon a memorial or petition presented to the house and signed by the party or parties praying for the passage of the same, except by order of the house.

RULE 35. The title of all bills introduced shall state concisely the subject-matter of such bills.

RULE 36. Every message from the senate, communicating any bill for the concurrence of the house, shall, with the accompanying documents, if any, be referred to a standing or select committee to consider and report thereon, and every such message, communicating an amendment, shall be submitted to the house for its concurrence, unless otherwise ordered.

RULE 37. All bills, whether introduced in the house or communicated by message from the senate, shall, after their second reading, be referred to a standing or select committee, to consider and report thereon. Such committee may report any bill, either with or without amendments, or they may report against the same. All bills favorably reported shall, if the report be agreed to, be committed to the committee of the whole; but where a bill has been reported adversely, and such report shall be agreed to by the house, it shall not go upon the general orders, but shall be considered as rejected.

RULE 38. Bills reported by the committee of the whole shall be subject to debate before the question to agree with the committee in their

report is put; but such amendments only shall be in order as were offered in committee of the whole. And where a bill shall be reported by the committee of the whole, with the enacting clause stricken out, and the report shall be agreed to by the house, or a report favorable to the passage of a bill shall be disagreed to by a vote of the house, such bill shall be considered as rejected.

RULE 39. Every bill shall receive three separate readings, previous to its final passage, and the third reading shall be on a day subsequent to that on which the bill passed in committee of the whole, unless the house, by a vote of two-thirds of the members present, shall direct otherwise.

RULE 40. Any bill printed and upon the general orders may be referred to the sub-committee of the whole by resolution in writing, reciting its number and its title in full, except it be,

1. One that makes an appropriation from, or may create any charge upon, the state treasury.
2. Which authorizes or imposes any state tax, or which exempts or releases any property from taxation.
3. Which grants or amends any franchise to any individual or individuals, corporation or corporations.
4. Which releases or conveys the interest of the state in any property.
5. Which amends or repeals the charter of any savings bank or insurance company.
6. Which alters, amends or repeals any of the general statutes for the formation of any corporation.
7. Which alters, amends or repeals the charter of any railroad, plank-road or turnpike company, or of any private corporation or which removes any restriction from any such company or increases or decreases the fare or compensation for traveling on the road or roads of any such company.
8. Which alters or amends the charters of any of the cities of this state.

Bills in such committees shall be considered in the same manner as in committee of the whole house, except that the ayes and nays shall be taken on the question of reporting any bill and that the assent of a majority of all the members of the committee shall be required to a favorable report.

The clerk of the house shall act as the clerk of such committee, and keep a journal of its proceedings and he shall submit with each report of the committee, a record of the action of the committee upon it; which report and record shall be printed and lie on the table one day before consideration by the house.

RULE 41. No bill except such as shall be reported by the sub-committee of the whole in accordance with rule 40, shall be ordered to a third reading until it shall have been considered in committee of the whole; nor shall it be in order to refer any bill to a standing committee to report complete unless by the vote of two-thirds of the members present.

RULE 42. No bill originating in the assembly shall be put upon its third reading until it shall have been reported by the committee on engrossed bills as correctly engrossed, unless by unanimous consent. Nor shall any bill be read the last time, unless it shall have been once printed, without the consent of two-thirds of the members present.

RULE 43. The third reading of bills shall take place in the order in which they have been ordered to a third reading, unless the house, by a vote of two-thirds of the members present, direct otherwise, or the bill to be read be laid on the table. And the question on the final passage of every bill shall be taken immediately after such third reading, and without debate.

RULE 44. The same vote that would be required to pass any bill shall be requisite to carry a reconsideration thereof. But the final vote upon the passage of any bill creating, continuing or renewing any incorporation otherwise than municipal, shall not be reconsidered whenever such bill shall be rejected on its last reading.

RULE 45. A register shall be kept by the clerk of all bills introduced in the house, or transmitted for concurrence from the senate, in which shall be recorded, under appropriate heads, the progress of such bills, from the date of their introduction to the time of their transmission: if assembly bills, to the governor, or, if senate bills, their return to the senate.

CHAPTER X.

ON MOTIONS AND THEIR PRECEDENCE.

RULE 46. When a question shall be under consideration, no motion shall be received except as herein specified, which motions shall have precedence in the order stated, viz.:

1. For an adjournment of the house.
2. A call of the house.
3. For the previous question.
4. To lay on the table.
5. To postpone indefinitely.
6. To postpone to a certain day.
7. To go into committee of the whole on the pending subject immediately.
8. To commit to a committee of the whole.
9. To commit to a standing committee.
10. To commit to a select committee.
11. To amend.

RULE 47. The motion to adjourn for the day and to lay on the table shall be decided without amendment or debate. The several motions to postpone or commit shall preclude all debate of the main question.

RULE 48. Every motion or resolution shall be first stated by the speaker, or read by the clerk, before debate and immediately before putting the question. And every motion, except those specified in subdivisions one to ten, inclusive, of the forty-sixth rule, shall be reduced to writing, if the speaker or any member desire it.

RULE 49. After a motion shall be stated by the speaker, it shall be deemed in the possession of the house, but may be withdrawn at any time before it shall be decided or amended.

RULE 50. The motions to adjourn, to take a recess, and to adjourn for a longer period than one day, shall always be in order; but the latter motion shall not preclude debate.

RULE 51. No motion for reconsideration of any vote shall be in order, unless made on the same day or on the legislative day next following that on which the decision proposed to be reconsidered, took place, nor unless made by a member who voted with the majority;

except in the case of bills returned by the governor for correction. A motion to reconsider being put and lost shall not be renewed ; nor shall any subject or vote be a second time reconsidered without unanimous consent.

CHAPTER XI.

OF RESOLUTIONS.

RULE 52. The following classes of resolutions shall lie over one day for consideration, after which they may be called up, as of course, under their appropriate order of business.

1. All concurrent resolutions.
2. Resolutions containing calls for information on the executive department.
3. Resolutions giving rise to debate, except such as relate to the disposition of matters immediately before the house, such as relate to the business of the day on which they are offered, and such as relate to adjournment or taking a recess for the day.

RULE 53. All resolutions for printing extra copies of documents shall be referred to the committee on printing, who shall report on each resolution within seven days after such reference.

RULE 54. All other resolutions calling for or leading to expenditures for the uses of the legislature, shall be referred to, and reported on, by the committee on the expenditures of the house, unless the house shall designate some other committee.

CHAPTER XII.

OF THE PREVIOUS QUESTION.

RULE 55. The "previous question" shall be as follows: "*Shall the main question be now put?*" and until it is decided shall preclude all amendments or debate. When, on taking the previous question, the house shall decide that the main question shall not now be put, the main question shall be considered as still remaining under debate. The "main question" shall be on the passage of the bill, resolution or other matter under consideration ; but when amendments are pending, the question shall first be taken upon such amendments in their order ; and when amendments have been adopted in committee of the whole, and not acted on in the house, the question shall be taken upon such amendments in like order, and, if the previous question has been ordered, without further debate or amendment.

CHAPTER XIII.

OF THE ASSEMBLY CHAMBER AND THE PRIVILEGES OF ADMISSION TO THE FLOOR THEREOF.

RULE 56. The use of the assembly chamber may be granted to the state agricultural society, the state medical society, and such other societies as are required by law to report to the legislature. No application for the use of the chamber for any other purpose shall be entertained without the unanimous consent of the house.

RULE 57. The following classes of persons shall be entitled to admission to the floor of the house during the session thereof, viz.:

1. The governor and lieutenant-governor.

2. The members of the senate.
3. The state officers and their deputies.
4. The regents of the university.
5. The capitol commissioners.
6. Persons in the exercise of an official duty directly connected with the business of the house.
7. The reporters for the press as provided by subdivision seven of rule two. *See subdivision 7 of rule 2.*
8. Ex-speakers of the assembly.

No other person shall be admitted to the floor during the session except upon the permission of the speaker; and persons so admitted shall be allowed to occupy places only in the seats in the rear of the assembly chamber. All permits granted by the speaker may be revoked by him at pleasure, or upon the order of the house.

CHAPTER XIV.

MISCELLANEOUS PROVISIONS.

RULE 58. In all cases of the absence of a quorum during the session of the house, the members present may take such measures as they shall deem necessary to secure the presence of a quorum, and may inflict such censure or pecuniary penalty as they may deem just, on those who, on being called on for that purpose, shall render no sufficient excuse for their absence.

RULE 59. When the house shall be equally divided on any question, including the speaker's vote, the question shall be deemed to be lost.

RULE 60. If any question contains several distinct propositions, it shall be divided by the chair at the request of any member, but a motion to strike out and insert shall be indivisible.

RULE 61. In all cases where a bill, order, motion or resolution shall be entered on the journal, the name of the member introducing or moving the same shall also be entered on the journal.

RULE 62. The yeas and nays may be taken on any question whenever so required by any ten members (unless a division by yeas and nays be already pending), and when so taken shall be entered on the journal.

RULE 63. The journal of each day's proceedings of the house shall be printed, so that it shall be laid on the tables of members within two days after its approval, and the sergeant-at-arms shall cause the printed journals to be kept on files in the same manner as other printed documents.

RULE 64. No reporter for the assembly, who has an appointment as reporter in the senate, shall receive any order for stationery from the clerk of the assembly.

RULE 65. No standing rule or order of the house shall be changed, suspended or rescinded, unless one day's notice shall have been given of the motion therefor, nor shall such change be made unless by a vote of a majority of all the members elected to the assembly; any such rule or order, however, may be suspended by unanimous consent. But such notice shall not be necessary on the last day of the session. The notice and motion shall in all cases state specifically the object of the suspension, and every case of suspension of a rule under such notice and motion shall be held to apply only to the object specified therein. Nor shall the forty-second rule, as far as it applies to any bill requiring a two-thirds vote, be altered, rescinded or suspended, unless two-thirds

of all the members elected to the house agree to such alteration, rescinding or suspending.

RULE 66. The following committees shall each be entitled to one clerk and messenger; to be appointed by the speaker :

1. Ways and means.
2. Judiciary.
3. Cities.
4. Canals.
5. Railroads.
6. Commerce and navigation.

And the following committees shall each be entitled to one clerk and messenger jointly:

7. Insurance, two-thirds and three-fifths bills, and rules.
8. Banks, agriculture, and expenditures of the executive department.
9. Claims, state prisons, and Indian affairs.
10. Internal affairs, and charitable and religious societies.
11. Public education, joint library, and expenditures of the house.
12. Roads and bridges, and affairs of villages.
13. Public printing, militia, and civil divisions.
14. Trade and manufacture, grievances, and manufacture of salt.
15. Public health, petitions of aliens, and state charitable institutions.
16. Privileges and elections, federal relations, and public lands.

RULE 67. No persons, except members of the legislature, and the officers thereof, shall be permitted within the clerk's desk, or the rooms set apart for the use of the clerk, during the session of the house.

RULE 68. Whenever any person shall be brought before the bar of the house, for adjudged breach of its privileges, no debate shall be in order, but the speaker shall proceed to execute the judgment of the house without delay or debate.

RULE 69. No more than sixteen pages shall be allowed upon the floor of the assembly chamber at any one time. Each page shall be furnished with a numbered badge, and shall occupy a seat corresponding with his number, to be provided and designated by the sergeant-at-arms, who shall also select one of his assistants, whose sole duty it shall be to take charge of said pages and see that this rule of the assembly is not violated.

RULE 70. It shall be the duty of the stenographer of the assembly to be present at every session of the house. He shall take stenographic notes of the debates in the house and in committee of the whole; and shall furnish a copy of the same written out in long hand, to any member applying therefor, upon the payment to said stenographer of ten cents for each folio, which charge said stenographer may receive in addition to his fixed compensation. The stenographic notes of the debates shall be filed with the clerk, and shall form a portion of the archives of the house. The clerk of the assembly is authorized to furnish said stenographer with proper stenographic blank books in which to record said debates, not to exceed fifty dollars for any annual session of the legislature.

RULE 71. All questions of order, as they shall occur, with the decisions thereon, shall be entered in the journal, and at the close of the session, a statement of all such questions and decisions shall be printed at the close of and as an appendix to the journal.

On motion of Mr. Sherman, the amendment as reported to rule 3 was adopted.

Mr. Speaker announced the question to be upon the amendment to rule 7.

Mr. Prince moved to amend the report by reinstating the old rule and amending the same by striking out the word "five" and inserting in lieu thereof the word "two."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Prince, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to the amendment as reported by the committee, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the amendment to rule 10, as reported by the committee, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment to rule 15, as reported by the committee, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment to rule 18, as reported by the committee, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment to rule 29, as reported by the committee, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment to rule 40, as reported by the committee, and it was determined in the negative.

Mr. Alvord moved to reconsider the vote just taken on rule 40.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord then moved to amend the report of the committee by restoring that portion of the old rule which allowed a bill to be recommitted to the committee of the whole House upon the demand of thirty-five members thereof.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment of the committee to rule 40, as amended by the amendment of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the amendment to rule 57, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to new rule 71, and it was determined in the affirmative.

Mr. Prince moved to amend rule 40 by inserting after the words "general orders," in line 1, the words "and which has been favorably reported by a standing committee."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Prince, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to rule 40, as amended, and it was determined in the affirmative.

Mr. Husted moved the adoption of the rules as amended.

Mr. Prince called for a division of the question, and that a separate vote be taken on rule 7.

Mr. Speaker put the question whether the House would agree to the rules as amended, except rule 7, and it was determined in the affirmative.

{ AYES 100 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Davis	Keenan	Sanford
Badger	Decker	Kennaday	Schenck
Barkley	Dessar	Kshinka	Schuyler
Barrow	Ely	Law	Scudder
Beach	Farrar	Lawrence	Seward
Beardsley	Faulkner	Lewis	Shattuck
Benedict	Fay	Lillybridge	Sherman
Bennett	Fish	Lincoln	Slingerland
Bordwell	Fream	Mackin	Smith
Bowen	Friend	McAfee	Speaker
Bradley	Gallagher	McGowan	Stauf
Brogan	Gedney	McGroarty	Stephens
Brown	Green	Merwin	Struble
Burtis	Hammond	J. W. Miller	G. Taylor
Calkins	Hanrahan	W. Miller	W. F. Taylor
T. C. Campbell	Hauschel	Muller	Tewksbury
T. J. Campbell	Hess	Oakley	Tremain
Christopher	Hinckley	Peck	Vosburgh
Clark	Hogan	Petty	Wellington
Cleary	Holmes	Pierson	Wenzel
Cole	Houghton	Pope	West
Comstock	Hussey	Prince	Whitmore
Cooke	Husted	Reilly	Witbeck
Costigan	Ives	Rich	Wurts
Daly	W. Johnson	Russell	Yost

Those who voted in the negative, were

Sherwood Willis

Mr. Speaker announced the question to be upon the adoption of the amendment of the committee to rule 7.

Mr. Prince moved to amend the report of the committee by reinstating the old rule with an amendment thereto, viz.: Strike out the word "five" and insert the word "two."

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to the amendment of Mr. Prince, and it was determined in the affirmative.

Mr. Prince moved to make the same a new rule, No. 72.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the adoption of rule 72, and it was determined in the affirmative.

{ AYES 89 }
{ NOES 13 }

Those who voted in the affirmative, were

Badger	Decker	Kshinka	Scudder
Barkley	Dessar	Law	Seward

Barrow	Ely	Lawrence	Shattuck
Beach	Farrar	Lawson	Sherwood
Beardsley	Faulkner	Lillybridge	Sheil
Benedict	Fay	Lincoln	Slingerland
Bennett	Fish	McAfee	Stephens
Bishop	Friend	McGowan	Struble
Bordwell	Gallagher	McGroarty	G. Taylor
Bowen	Green	J. W. Miller	W. F. Taylor
Bradley	Hammond	W. Miller	Tewksbury
Braman	Hanrahan	Peck	Tremain
Brown	Hauschel	Petty	Vosburgh
Calkins	Hess	Pierson	Waehner
T. C. Campbell	Hinckley	Pope	Wellington
T. J. Campbell	Holmes	Prince	Wenzel
Christopher	Houghton	Ransom	West
Clark	Hussey	Reilly	Whitmore
Cole	Husted	Roscoe	Willis
Cooke	Keenan	Russell	Witbeck
Costigan	Kennaday	Sanford	Wurts
Daly	Kirk	Schenck	Yost
Davis			

Those who voted in the negative, were

Alvord	Hogan	Merwin	Sherman
Brogan	Ives	Rich	Smith
Comstock	Lewis	Schuyler	Speaker
Gedney			

Mr. Sherman moved the following as a substitute for rule 51 :

RULE 51. No motion for reconsideration of any vote shall be in order, unless on the same day or the following legislative day to that on which the decision proposed to be reconsidered took place, except in the case of bills returned by the Governor for correction, nor except in the case of a motion to reconsider the vote on which a bill has been passed or rejected, unless a member who voted in the majority thereon shall move such reconsideration; but a motion to reconsider the vote on which a bill has been passed or rejected shall be considered a privileged motion to any member, and shall always be in order. A motion for reconsideration being put and lost shall not be renewed; nor shall any subject or vote be a second time reconsidered without unanimous consent.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to reconsider the vote on the amendment of Mr. Sherman just adopted.

Debate was had thereon, when

By unanimous consent the same was reconsidered.

Mr. Husted moved to amend rule 51 so as to read as follows: "No motion for a reconsideration of any vote shall be in order unless on the same day or the following legislative day to that on which the bill was passed or rejected, except in case of bills returned by the Governor for correction. But a motion to reconsider the vote on which a bill has been passed or rejected shall be considered a privileged motion to any member, and shall always be in order on the same or following legislative day. A motion for a reconsideration being put and lost shall not

be renewed, nor shall any subject or vote be a second time reconsidered unless by unanimous consent.

Mr. Speaker put the question whether the House would agree to rule 51, as amended, and it was determined in the affirmative.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kshinka	Schuyler
Barkley	Ely	Lawson	Scudder
Barrow	Farrar	Lewis	Seward
Beach	Fay	Lincoln	Shattuck
Beardsley	Fish	Mackin	Sherman
Benedict	Fream	McAfee	Sherwood
Berry	Friend	McGowan	Sheil
Bishop	Gallagher	McGroarty	Slingerland
Bowen	Gedney	Merwin	Smith
Bradley	Green	W. Miller	Speaker
Braman	Griffin	Muller	Stauf
Brogan	Hanrahan	Oakley	Struble
Brown	Hauschel	Peck	G. Taylor
Burtis	Hinckley	Pierson	W. F. Taylor
T. C. Campbell	Hogan	Pope	Tremain
Christopher	Holmes	Prince	Vosburgh
Clark	Houghton	Ransom	Wellington
Cole	Hussey	Reilly	Wenzel
Comstock	Husted	Rich	West
Cooke	W. Johnson	Roscoe	Willis
Costigan	W. A. Johnson	Russell	Witbeck
Daly	Kennaday	Sanford	Wurts
Davis	Kirk	Schenck	Yost
Decker			

The Senate returned the resolutions of Mr. Scudder relative to Indian affairs, with a message informing of concurrence in the passage of the same.

Mr. Speaker announced the following appointments of clerks and messengers to committees, the term of service of each to commence on the 12th day of January, 1875, and to end with the session:

Ways and Means.—William B. Kress, clerk; Eugene Jenkins, messenger.

Judiciary.—Edward F. Hassey, clerk; William C. Stead, messenger.

Affairs of Cities.—W. H. Bodwell, clerk; Joseph Feury, messenger.

Canals.—John A. Barry, clerk; Wm. E. Beebe, messenger.

Railroads.—John E. Selden, clerk; W. John McDonald, messenger.

Commerce and Navigation.—L. D. Simon, clerk; Philip Russ, messenger.

Insurance, Two-thirds and Three-fifths Bills, Rules.—Wm. H. Davis, clerk; Fred. Tibbetts, messenger.

Banks, Agriculture and Expenses of the Executive Department.—H. D. Cunningham, clerk; LaFayette Partridge, messenger.

Claims, State Prisons and Indian Affairs.—Chas. H. Moore, clerk; James Casey, messenger.

Internal Affairs and Charitable and Religious Societies.—Melvin T. Stephens, clerk; Meyer Leichtentrill, messenger.

Public Education, Joint Library and Expenditures of the House.—John M. Bordwell, clerk; John D. Armstrong, messenger.

Roads and Bridges and Affairs of Villages.—Abraham Winant, clerk; Cassius Gustin, messenger.

Public Printing, Militia and Civil Divisions.—James Gardner, clerk; Henry Buchanan, messenger.

Trade and Manufacture, Grievances and Manufacture of Salt.—Henry K. Hawes, clerk; Charles Hopkins, messenger.

Public Health, Petition of Aliens and State Charitable Institutions.—James R. Foland, clerk; Chas. Wilson, messenger.

Privileges and Elections, Federal Relations and Public Lands.—Chas. A. Briggs, clerk; John Keleher, messenger.

Engrossed Bills.—James H. Riddell, messenger.

Mr. Sherman presented the following report of the committee on joint rules :

JOINT RULES OF THE SENATE AND ASSEMBLY.

RULE 1. Each house shall transmit to the other all papers in which any bill or resolution shall be founded.

RULE 2. When a bill or resolution which shall have passed in one house shall be rejected in the other, notice thereof shall be given to the house in which the same may have passed.

RULE 3. Messages from one house to the other shall be communicated by their clerks respectively, unless the house transmitting the message shall specially direct otherwise.

RULE 4. It shall be in the power of either house to amend any amendment made by the other to any bill or resolution.

RULE 5. In every case of difference between the two houses, upon any subject of legislation, either house may request a conference, and appoint a committee for that purpose, and the other shall also appoint a committee to confer. The committee shall meet at such hour and place as shall be *appointed* by the *chairman* of the committee on the part of the house requesting such conference. The conferees shall state to each other verbally, or in writing, as either shall choose, the reasons of their respective houses, and confer freely thereon. The committee shall report, in *writing*, and shall be authorized to report such modifications or amendments as they think advisable. But no committee on conference shall consider or report on any matters except those directly at issue between the two houses. The papers shall be left with the conferees of the house assenting to such conference, and they shall present the report of the committee to their house. When such house shall have acted thereon, they shall transmit the same, and the papers relating thereto, to the other, with a message certifying its action thereon. Every report of a committee of conference shall be read through, in each house, before a vote is taken on the same.

RULE 6. It shall be in order for either house to recede from any subject-matter of difference subsisting between the two houses at any time previous to conference, whether the papers on which such difference arose are before the house receding, formally or informally; and on such vote to recede, the same number shall be required to constitute a

quorum to act thereon, and to assent to such receding, as was required on the original question out of which the difference arose.

RULE 7. After each house shall have adhered to their disagreement, the bill which is the subject of difference shall be deemed lost, and shall not again be revived during the same session in either house.

RULE 8. All joint committees of the two houses, and all committees of conference, shall consist of three senators and five members of assembly, unless otherwise specially ordered by concurrent resolution.

RULE 9. No bill which shall have passed one house shall have its final reading in the other in less than two days thereafter, without the consent of two-thirds of the members thereof present; and whenever ten or more bills shall be in readiness for final reading in either house, such house shall forthwith proceed to the final reading of such bills, under the order of "third reading of bills, and continue the same from day to day, until all such bills" then in readiness for final reading shall have been read, unless this order of business shall, by the vote of two-thirds of the members present, be suspended or laid on the table. All such bills shall have their last reading in each house in the order in which the same shall have been ordered to a final reading in such house, unless the bill to be read be laid on the table. In all cases where a bill shall be so ordered to lie on the table, it shall retain its place in the order of the final reading of bills, but shall not be called up for consideration unless by a vote of a majority of the members present.

RULE 10. The same bill shall not, specially or by name, create, renew or continue more than one incorporation, nor contain any provisions in relation to the altering of more than one incorporation by name; but this rule shall not be construed to apply to corporations to be formed under general laws according to the eighth article of the constitution, nor to bills for consolidating corporations. After any bill has been reported by a committee, no amendment shall be made thereto which introduces an entirely new and different subject-matter from the subject-matter of the bill reported.

RULE 11. Whenever there shall be an election of officers by the joint action of the two houses, the result shall be certified by the president of the senate and speaker of the assembly, and shall be reported by the presiding officer of each house to their respective houses, and be entered on the journals of each, and shall be communicated to the governor by the clerks of the two houses.

RULE 12. There shall be printed, of course, and without order, 614 copies of all original bills reported by committees of either house; and 800 copies of all messages from the governor (except messages certifying his approval of bills), all reports of standing or select committees, and all reports or communications made in pursuance of law; and 796 copies of the journal of each house, which number shall be denominated the usual number.

RULE 13. Neither house shall order the printing or purchasing of books for the use of members or for distribution, except by joint resolution, upon which the ayes and noes shall be called, and which must receive the votes of a majority of each house; and no printing shall be done, by order of either house, which is not embraced in the contract for doing the public printing. Whenever either house shall order more than the usual number of any message or document, the fact shall be communicated immediately by message to the other. Whenever extra copies of any document shall be ordered printed, the

printer shall be authorized and required to deliver to the trustees of the State library at least five copies in addition to the number so ordered, for the use of the said library; and whenever more than five hundred copies are so ordered, the printer shall in like manner furnish five additional copies for each five hundred for the purpose of literary exchanges.

RULE 14. When the same document shall by separate orders be directed to be printed by both houses, it shall be regarded as but one order, unless otherwise expressly directed by either house.

RULE 15. In the distribution of documents, the governor and elective State officers, and State officers appointed by the governor and Senate, or elected by joint or concurrent action of the two houses, shall each have the same number as each of the members; and a specified number may be added for any committee, officer, or author of a document.

RULE 16. The sergeant-at-arms of each house shall receive from the printer all matter ordered by the respective houses, and shall keep a book and enter therein the time of reception by him of every such bill or document, and the number of copies received, and shall cause each and any of such bill or document to be immediately placed on the desks of the members.

RULE 17. There shall be printed six hundred and fourteen bills, and distributed as follows:

To the senate.....	125 copies.
To the assembly.....	450 copies.
To the State officers	28 copies.
To the State library.....	1 copy.
Retained to bind	10 copies.

There shall be printed three hundred and ten messages and documents, and distributed as follows:

To the senate	80 copies.
To the assembly	190 copies.
To State officers	30 copies.
To the State library.....	1 copy.

There shall be printed three hundred journals of each house, and distributed as follows:

To the senate	80 copies.
To the assembly	188 copies.
To the State officers.....	30 copies.
To the State library.....	2 copies.

There shall be printed to bind, four hundred and ninety-six journals of each house, and the same number of messages and documents, and distributed as follows:

For the senate.....	38 copies.
For the assembly	134 copies.
For senate library.....	16 copies.
For assembly library	50 copies.
For the counties and public officers.....	123 copies.
For literary and scientific exchanges, to be made by the regents of the university, including one copy for each State and Territory and one copy for each of the regents who are not otherwise provided for	124 copies.
For State library.....	5 copies.

There shall also be printed and bound for the State library five copies of the Session Laws, and also of the journal of each house, and fifty-five copies of the same for the regents of the university, for the purpose of literary exchanges.

The clerk of each house shall forthwith, after the journal thereof of each day is approved, deliver a legible copy thereof to the printer for the two houses, who shall have the same printed and delivered to the sergeant-at-arms of each house within forty-eight hours thereafter.

RULE 18. There shall be a standing committee, consisting of three members of the senate and five members of the assembly, to be called the joint committee on the State library and cabinet of natural history.

RULE 19. The supply bill and the annual appropriation bill shall be reported by the fifteenth day of March, and printed immediately thereafter, and made the special order for the twenty-fifth day of March, or some day prior thereto, immediately after the reading of the journal.

RULE 20. No bill introduced after the fifteenth day of March in either house shall have its final reading in either house until all bills previously introduced in either, and sent from one house to the other house for concurrence and ready for third reading, shall be disposed of, unless by unanimous consent, except the supply bill and the annual appropriation bill; and the clerk of each house shall note on each engrossed bill the day on which it was introduced, and the day on which it was received from the other house, and shall announce such facts when the same is proposed to be read a third time.

RULE 21. When a bill originated in the senate or assembly shall have been lost in either house, neither the same, nor any other bill on the same subject, and containing similar provisions, shall be subsequently introduced into the senate or assembly during the same session, unless by unanimous consent.

RULE 22. The postmaster of each house shall weigh and stamp all documents sent by mail or express, and enter in a book to be kept by him for that purpose, the amount of postage or express charge thereon, and report to the clerk of the respective houses the aggregate thereof weekly; and the assistant postmaster of each house shall enter in a book to be kept by him for that purpose an accurate account of all documents, with the postage or express charges paid thereon, transmitted from the post-office of their respective houses by mail or express, and report the aggregate thereof weekly to the respective clerks of the senate and assembly; and the clerks of the senate and assembly shall, from time to time, furnish to the postmaster of each house respectively, the stamps requisite for carrying into execution this rule, and an account thereof shall be kept by them in books to be by them provided for that purpose; and the books kept by the postmaster and assistant postmaster, above specified, shall be, at all times, open to the inspection of the clerks and members of each house respectively.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

On motion of Mr. Daly, at 2 o'clock the House took a recess until 7½ o'clock.

HALF-PAST SEVEN O'CLOCK.

The House again met.

Mr. Speaker announced the special order, being the consideration of the annual message of his Excellency the Governor.

The House then resolved itself into a committee of the whole on said message, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Schuyler, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Daly moved that said message be made a special order for one week from to-morrow evening, at 7½ o'clock, and that a session of the House be held for that purpose at that time.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Alvord, at 8 o'clock and 45 minutes, the House adjourned.

WEDNESDAY, FEBRUARY 3, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Berry.

The journal of yesterday was read and approved.

Pursuant to a resolution of the House, the Senate returned the bill entitled "An act appropriating moneys for the building of the new capitol."

On motion of Mr. Hammond, the same was laid on the table.

The Senate returned the bill entitled as follows:

"An act authorizing the board of supervisors of the county of Albany to issue bonds to pay a portion of the bonds of said county that will mature during the year 1875."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Talmadge, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the board of commissioners of emigration."

"An act to amend sections 2 and 3 of chapter 225 of the act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834."

"An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election."

"An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose."

"An act amendatory of the several acts relating to Washington park in the city of Albany."

"An act for the better enforcement of certain penal laws."

"An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime."

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof."

"An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers.'"

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to provide payment for the service of certain officers and employees of the Assembly," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Lawrence	Scudder
Barkley	Fish	Lewis	Seward
Barrow	Fream	Lillybridge	Shattuck
Berry	Friend	Lincoln	Sherman
Bishop	Gallagher	Mackin	Sheil
Bordwell	Gedney	McAfee	Slingerland
Bowen	Green	McGowan	Smith
Bradley	Griffin	McGroarty	Stacy
Broas	Hanrahan	Merwin	Stauf
Brogan	Hauschel	J. W. Miller	Stephens
Brown	Hepburn	W. Miller	Struble
Burtis	Hess	Muller	W. F. Taylor
Calkins	Hinckley	O'Keefe	Tewksbury
T. C. Campbell	Holmes	Peck	Tremain
Christopher	Houghton	Pierson	Vosburgh
Clark	Hussey	Pope	Waehner
Cole	Husted	Prince	Wellington
Comstock	W. Johnson	Ransom	Wenzel
Costigan	W. A. Johnson	Rich	Wetherbee
Daggett	Kennaday	Russell	Whitmore
Decker	Kirk	Schieffelin	Willis
Farrar	Kshinka	Schuyler	Yost
Faulkner	Law		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Lewis	Seward
Barkley	Farrar	Lillybridge	Shattuck
Barrow	Fish	Lincoln	Sherman
Benedict	Fream	Mackin	Sheil
Bennett	Friend	McAfee	Smith
Bishop	Gallagher	McGowan	Speaker
Bordwell	Gedney	McGroarty	Stacy
Bowen	Green	Merwin	Stauf
Bradley	Griffin	J. W. Miller	Stephens
Braman	Hanrahan	Muller	Struble
Broas	Hauschel	Oakley	Talmadge
Brogan	Hepburn	O'Keefe	G. Taylor
Burtis	Hess	Peck	W. F. Taylor
Calkins	Hinckley	Petty	Tewksbury
T. C. Campbell	Hogan	Pierson	Vosburgh
Christopher	Houghton	Pope	Wellington
Clark	Hussey	Prince	Wenzel
Cole	Kennaday	Rich	Wetherbee
Comstock	Kirk	Sanford	Whitmore
Cooke	Kshinka	Schenck	Willis
Daggett	Law	Schieffelin	Wurts
Davis	Lawrence	Scudder	Yost
Decker	Lawson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion, the privileges of the floor were extended to Hon. Messrs. W. W. Cook, Bostwick, Nachtman and Allaben.

The bill entitled "An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing bridge over the Genesee Valley canal, in West avenue, in the city of Rochester," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Lewis	Sherwood
Badger	Fay	Lillybridge	Sheil
Barkley	Fish	Lincoln	Slingerland
Barrow	Fream	Mackin	Speaker
Benedict	Friend	McAfee	Stacy
Bishop	Gallagher	Muller	Stauf
Bordwell	Green	Oakley	Struble
Bowen	Griffin	O'Keefe	Talmadge
Bradley	Hauschel	Peck	G. Taylor

Braman	Hepburn	Petty	W. F. Taylor
Broas	Hess	Pope	Tewksbury
Brogan	Hinckley	Prince	Vosburgh
Calkins	Hogan	Rich	Waehner
T. C. Campbell	Holmes	Roscoe	Wellington
Christopher	Houghton	Russell	Wenzel
Clark	Hussey	Sanford	West
Comstock	Husted	Schenck	Wetherbee
Costigan	W. A. Johnson	Schieffelin	Whitmore
Daggett	Kennaday	Schuyler	Willis
Davis	Kirk	Scudder	Witbeck
Decker	Kshinka	Seward	Worth
Dessar	Law	Shattuck	Yost
Ely	Lawson	Sherman	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Holmes moved to take from the table the motion to refer the bill entitled "An act to repeal chapter 296 of the Laws of 1874, entitled 'An act to subject the real and personal property of the New York and Oswego Midland Railroad Company to taxation, and to appropriate the amount of the county taxes thereon to certain towns, to be applied toward the payment of the interest or principal of certain town bonds,' and to suspend the collection of taxes assessed under the same," to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker announced the question to be upon the motion of Mr. Alvord to refer said bill to the committee on the judiciary.

Mr. Alvord moved to amend said motion by striking out the word "judiciary," and inserting in lieu thereof the words "general laws," and by adding thereto the words "and shall report to this House to-morrow morning immediately after the reading of the journal, and that it retain its place on third reading of bills."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the question to be upon the motion as amended.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }
{ NOES 60 }

Those who voted in the affirmative, were

Barkley	Cooke	Husted	Peck
Barrow	Costigan	Ives	Pierson
Beach	Daly	Kennaday	Schuyler
Benedict	Davis	Kirk	Scudder

Berry	Ely	Kshinka	Shattuck
Bowen	Faulkner	Law	Sherman
Braman	Fish	Lawrence	Sherwood
Broas	Fream	Lewis	Stacy
Brown	Friend	Lillybridge	Stephens
Burtis	Gallagher	Mackin	W. F. Taylor
Calkins	Gedney	McGowan	Tremain
T. C. Campbell	Griffin	Merwin	Wenzel
T. J. Campbell	Hauschel	J. W. Miller	West
Christopher	Holmes	W. Miller	Willis
Cole	Hussey	Oakley	

Those who voted in the negative, were

Alvord	Fay	McGroarty	Smith
Badger	Green	O'Keefe	Speaker
Bennett	Hammond	Petty	Stauf
Bishop	Hanrahan	Pope	Struble
Bordwell	Hepburn	Prince	Talmadge
Bradley	Hess	Reilly	G. Taylor
Brogan	Hinckley	Rich	Tewksbury
Clark	Hogan	Roscoe	Vosburgh
Cleary	Houghton	Russell	Waehner
Coffey	W. Johnson	Sanford	Wellington
Comstock	W. A. Johnson	Schenck	Whitmore
Daggett	Keenan]	Schieffelin	Witbeck
Decker	Lawson	Seward	Worth
Dessar	Lincoln	Sheil	Wurts
Farrar	McAfee	Slingerland	Yost

Mr. Davis moved to reconsider the vote just taken, and that that motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the affirmative.

Mr. Speaker presented the following communication:

ALBANY, *February 3, 1875.*

To the Honorable the Speaker of the Assembly:

At 2 o'clock P. M., a very important paper upon drainage, respecting its sanitary effects, will be read by Dr. Bell of New York city, before the State Medical Society, at the city hall. The society respectfully invite the presence of the health committee of the Assembly to hear the same, at that hour.

Very respectfully,

JAS. V. KENDALL,
M. MORRIS,
B. F. SHUMAN,

Committee.

The bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," being announced for a third reading,

On motion of Mr. G. Taylor, and by unanimous consent, the same was amended by adding to section 7, after the word "notices," the

words "and the cost of such advertisement shall be added to the amount already accrued upon his certificate."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Husted	Russell
Barkley	Decker	Ives	Sanford
Barrow	Dessar	Kennaday	Schenck
Beach	Farrar	Kirk	Schuyler
Benedict	Faulkner	Law	Scudder
Bishop	Fay	Lewis	Shattuck
Bordwell	Fish	Lincoln	Sherwood
Bowen	Fream	Mackin	Slingerland
Bradley	Friend	McAfee	Smith
Braman	Gallagher	McGowan	Speaker
Broas	Gedney	Merwin	Stacy
Brogan	Green	J. W. Miller	Stauf
Burtis	Griffin	W. Miller	Stephens
Calkins	Hauschel	Oakley	G. Taylor
T. C. Campbell	Hepburn	O'Keefe	Tewksbury
Christopher	Hess	Peck	Tremain
Clark	Hinokley	Petty	Vosburgh
Coffey	Hogan	Pierson	Wenzel
Comstock	Holmes	Prince	Worth
Costigan	Houghton	Reilly	Wurts
Daggett	Hussey	Roscoe	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Davis moved to lay the present order of business on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The bill entitled "An act relating to children," being announced for a third reading,

Mr. McGowan moved to recommit said bill to the committee of the whole, retaining its place on the calendar of third reading of bills.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act for the incorporation of societies for the prevention of cruelty to children," being announced for a third reading,

On motion of Mr. McGowan, said bill was recommitted to the committee of the whole, retaining its place on the calendar of third reading of bills.

Mr. McGowan moved that the two last mentioned bills be made a special order for Tuesday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to authorize the county of Essex to borrow money for the purpose of enlarging, repairing and improving its county poor-house, and to authorize the issue of bonds and provide for the payment thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Ives	Schuyler
Badger	Daggett	Keenan	Scudder
Barkley	Daly	Kennaday	Seward
Barrow	Davis	Kirk	Shattuck
Beach	Decker	Kshinka	Sherman
Beardsley	Dessar	Lawson	Sherwood
Berry	Farrar	Lewis	Sheil
Bishop	Faulkner	Lincoln	Slingerland
Bordwell	Fish	McAfee	Smith
Bowen	Fream	Merwin	Speaker
Bradley	Friend	O'Keefe	Struble
Braman	Gallagher	Peck	G. Taylor
Broas	Gedney	Petty	W. F. Taylor
Brogan	Green	Pierson	Tewksbury
Brown	Hanrahan	Pope	Tremain
Burtis	Hauschel	Prince	Vosburgh
Calkins	Hepburn	Reilly	Wenzel
T. J. Campbell	Hess	Rich	Whitmore
Christopher	Hinckley	Roscoe	Willis
Clark	Hogan	Russell	Witbeck
Coffey	Holmes	Sanford	Worth
Cole	Houghton	Schenck	Wurts
Comstock	Hussey	Schieffelin	Yost
Cooke	Husted		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Lincoln moved that the order of business, third reading of bills, be laid upon the table for the purpose of taking up the regular order of business.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Whitmore introduced a bill entitled "An act to more fully protect persons engaged in lawful labor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Badger introduced a bill entitled "An act authorizing and requir-

ing the inspectors of State prisons to hear and determine upon the claims of the legal representatives of Thomas C. Gilson, deceased, and to allow such compensation therefor as they may deem just and equitable," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Bradley introduced a bill entitled "An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York,' chapter 590, Laws of 1872, passed May 7, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Yost introduced a bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg, passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, passed April 11, 1868, as amended by chapter 360 of the Laws of 1871,' passed April 7, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. McAfee introduced a bill entitled "An act to confirm the title of Andrew Stevenson in certain real estate, and to enable him to take, hold, convey and transmit the same by descent or devise, and to release to him any interest of this State therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Dessar introduced a bill entitled "An act to authorize the board of trustees of the First National Building and Mutual Loan Association of the city of New York to loan its surplus funds on the security of unredeemed shares in said association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lincoln introduced a bill entitled "An act determining duties and obligations, fixing conditions and limiting charges under which certain corporations acting as common carriers may conduct business in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general, local and special laws.

Mr. Hammond introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate lying under the water of Seneca lake to Hobart College," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sanford introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Witbeck introduced a bill entitled "An act to prevent the mutilation of shade trees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Houghton introduced a bill entitled "An act for the relief of the

towns of Corinth, in the county of Saratoga, and Luzerne, in the county of Warren, and to contribute toward the building of a bridge across the Hudson river at Jessup's Landing, between said counties of Saratoga and Warren," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Davis introduced a bill entitled "An act in regard to contracts for the purchase and sale of gold," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Struble introduced a bill entitled "An act to authorize the Canal Commissioners to build a bridge over the Crooked lake canal at the foot of Main street, in the village of Penn Yan, in the town of Milo, Yates county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Lawrence introduced a bill entitled "An act to reduce the number of superintendents of the poor of Columbia county, and to provide for the election of a superintendent of the poor of said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Bowen introduced a bill entitled "An act to repeal all laws authorizing towns, villages and cities to issue bonds and subscribe for stocks in aid of railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Broas introduced a bill entitled "An act to provide for taxing dogs and for the collection of such tax, and to create a fund to pay for injuries upon sheep occasioned by dogs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Faulkner introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stock of said railroad company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," reported in favor of the passage of the same, with amendments and the title amended so as to read, "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was

referred the bill entitled "An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of \$2,000 to expend in repairing the Spaulding Hose carriage house in said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplemental thereto," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Camp Ground Association,' passed April 6, 1857, and also to amend an act amendatory thereto, passed March 31, 1859," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association,' passed April 6, 1857, and also to amend chapter 85 of the Laws of 1859, being an act amendatory thereto, passed March 31, 1859," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Friend, from the committee on public printing, to which was referred the Senate resolution relative to printing copies of the report of the quarantine commissions for the use of the health officers, reported in favor of the passage of the same in the words following:

Resolved (if the Assembly concur), That 500 copies of the report of the Quarantine Commissioners be printed for the use of the health officers.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Friend, from the committee on public printing, to which was referred the Senate resolution relative to printing copies of the Comptroller's report for the use of the Legislature and Comptroller, reported in favor of the passage of the same in the words following:

Resolved (if the Assembly concur), That 5,000 copies of the Comptroller's report be printed, 3,500 copies for the Legislature and 1,500 copies for the use of the Comptroller.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing copies of the annual report of the Superintendent of Public Instruction and the Regents of the University on the New York State Normal School at Albany, reported in favor of the passage of the same in the words following:

Resolved (if the Senate concur), That 1,500 copies of the annual report of the Superintendent of Public Instruction and the Regents of the University on the New York State Normal School at Albany be printed for the use of said school.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing on card boards a list of the State officers, members, officers and reporters of the Senate and Assembly, reported in favor of the passage of the same in the words following:

Resolved, That 100 copies of the list of State officers, members, officers and reporters of the Senate and Assembly, with the home post-office address and boarding place in Albany, be printed on card boards; and that a copy be presented to each of the departments, the principal hotels, also to the Senate and Assembly library, post-office and chambers.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Alvord, from the committee on rules, reported as follows:

Amend rule 17 by adding thereto the following: "If the Speaker is in doubt as to whether any bill before the House comes within the restrictions of the Constitution, he may, even after it is ordered to a third reading, refer the bill to the committee on general laws for the examination of the question.

Ordered, That said report be laid on the table.

On motion of Mr. Waehner, and by unanimous consent, the Senate bill entitled "An act to authorize and empower the board of town auditors of the town of Gallatin, in the county of Columbia, to issue bonds of said town with which to retire bonds issued by commissioners appointed for said town by the county judge of said county in aid of the Rhinebeck and Connecticut Railroad Company, and to transfer certain stock of said railroad company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kennaday	Scudder
Barkley	Decker	Kirk	Seward
Barrow	Dessar	Kshinka	Shattuck
Beach	Ely	Lawrence	Sherman
Benedict	Farrar	Lawson	Sherwood

Bennett	Faulkner	Lewis	Sheil
Berry	Fay	Lincoln	Slingerland
Bishop	Fish	Mackin	Smith
Bordwell	Fream	McGowan	Speaker
Bradley	Friend	Merwin	Stacy
Braman	Gallagher	Muller	Stauf
Broas	Griffin	Oakley	Struble
Brogan	Hammond	O'Keefe	Talmadge
Burtis	Hauschel	Peck	G. Taylor
Calkins	Hepburn	Petty	W. F. Taylor
T. C. Campbell	Hess	Pierson	Tewksbury
T. J. Campbell	Hinckley	Pope	Vosburgh
Christopher	Hogan	Prince	Waehner
Clark	Holmes	Reilly	Wenzel
Coffey	Houghton	Rich	West
Cole	Hussey	Roscoe	Whitmore
Comstock	Husted	Russell	Willis
Cooke	Ives	Sanford	Worth
Costigan	W. A. Johnson	Schenck	Wurts
Daly	Keenan	Schieffelin	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Oakley, at 1 o'clock and 55 minutes, the House adjourned.

THURSDAY, FEBRUARY 4, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Clark.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes, in relation to the erection, repairing and preservation of bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

"An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Faulkner, and by unanimous consent, said bill was substituted for the Assembly bill of the same title.

"An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purpose," which

was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Faulkner, and by unanimous consent, said bill was substituted for the Assembly bill of the same title.

On motion, the privileges of the floor were extended to Messrs. Coon, Adams and Weed.

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the city of Rochester to issue its bonds for the construction of a new school building."

"An act in relation to the rights and liabilities of married women."

"An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Badger, from said committee, reported in favor of the passage of said first and second mentioned bills, the first mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Badger, from said committee, also reported progress on said last mentioned bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860."

"An act to provide more effectually for the punishment of peculation and other wrongs affecting public moneys and rights of property."

"An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Beardsley, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

By unanimous consent, Mr. T. J. Campbell introduced a bill entitled "An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail in the county of New York upon civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding Hose carriage house in said city."

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplemental thereto."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tremain, from said committee, reported in favor of the passage of said first mentioned bill: which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Tremain, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Sherwood introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Kennaday introduced a bill entitled "An act regulating the number of judges of the city court of Brooklyn and the civil and criminal jurisdiction of said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. G. Taylor introduced a bill entitled "An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Dessar introduced a bill entitled "An act to amend an act entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the right of suffrage thereat,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act to create and preserve a public forest to be known as the Adirondack park," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. J. W. Miller introduced a bill entitled "An act to make two polls in the town of Montgomery, Orange county, N. Y., for holding town meetings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Page introduced a bill entitled "An act making appropriations for the payment of the principal and interest of the canal debt for the fiscal year commencing on the 1st day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the constitution," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, the bill entitled "An act making appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, the bill entitled "An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the canal appraisers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Ely introduced a bill entitled "An act to repeal an act to establish a free school in district No. 3, in the town of Cherry Valley," which

was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Stephens introduced a bill entitled "An act to amend an act entitled 'An act to prevent encroachments and obstructions in the harbor of New York and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill entitled "An act to enlarge the board of education in union free school district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereupon a new school-house, and to provide for the raising of money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, the bill entitled "An act to repeal chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also, chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said Marsh Land Company of moneys paid by them into the treasury of the State in pursuance of said chapter 864 of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Cleary introduced a Bill entitled "An act to amend an act entitled 'An act to ascertain by proper proofs the citizens who shall be entitled to the right of suffrage in the State of New York, except in the city and county of New York and the city of Brooklyn,' and to repeal chapter 572 of the Laws of 1871, entitled 'An act to amend an act entitled An act in relation to elections in the city and county of New York,' passed May 7, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Petty introduced a bill entitled "An act to amend an act passed March 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Petty, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Alvord, said bill was amended by inserting in section 1, after the word "three," the title of the original bill.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 102 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Badger

Decker
Dessar

Kshinka
Lewis

Sherwood
Sheil

Barkley	Farrar	Lillybridge	Silverman †
Barrow	Fay	Lincoln	Slingerland
Beardsley	Fish	Mackin	Smith
Bennett	Fream	McGowan	Speaker
Berry	Friend	McGroarty	Stacy
Bishop	Gallagher	Merwin	Stauf
Bradley	Gedney	J. W. Miller	Stephens
Braman	Green	Muller	Struble
Broas	Griffin	Oakley	Talmadge
Brogan	Hammond	O'Keefe	G. Taylor
Brown	Hauschel	Page	W. F. Taylor
Burtis	Hepburn	Peck	Tewksbury
Calkins	Hinckley	Petty	Tremain
T. C. Campbell	Hogan	Pierson	Vosburgh
T. J. Campbell	Holmes	Ransom	Waehner
Christopher	Houghton	Reilly	Wellington
Clark	Hussey	Rich	Wenzel
Cleary	Ives	Roscoe	West
Coffey	W. Johnson	Schieffelin	Wetherbee
Cole	W. A. Johnson	Schuyler	Whitmore
Comstock	Keenan	Scudder	Willis
Costigan	Kennaday	Shattuck	Wurts
Daggett	Kirk	Sherman	Yost
Daly	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Struble introduced a bill entitled "An act regulating freights on the railroads of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Prince moved that the committee be instructed to report on said bill within two weeks.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hinckley introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Chautauqua Lake Camp Meeting Association of the Erie Conference of the Methodist Episcopal Church,' passed April 13, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Wellington introduced a bill entitled "An act to amend section 8 of chapter 8, title 15, part 3 of the Revised Statutes, in relation to the foreclosure of mortgages by advertisement," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hepburn introduced a bill entitled "An act to amend chapter 437 of the Laws of 1874, entitled 'An act in relation to publication of notices and publications,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Willis introduced a bill entitled "An act to confirm the official acts of the trustees of the Delaware Literary Institute," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, presented a memorial on the same subject; which was read and referred to the same committee.

Mr. Kennaday, from the committee on general, local and special laws, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Co., passed June 3, 1865,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to the powers of boards of supervisors in the several counties of this State in the election or appointment of railroad commissioners," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act empowering railroad companies to employ police force,' passed April 29, 1863, and an act amendatory thereof, passed March 30, 1866," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to incorporate the Western Railroad Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill entitled "An act to amend the charter of Farm Buildings Fire Insurance Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill entitled "An act to continue and extend the charter of the Dutchess County Mutual Insurance Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the petition of the Richmond County Mutual Insurance Company, praying for an amendment to their charter, reported by bill entitled "An act to extend the charter of the Richmond County Mutual Insurance Company, and to restrict its operations to the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to prevent fishing with pound nets in the waters of the Great South bay of Long Island, in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act for the protection of fish in the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to repeal chapter 327 of Session Laws of 1874, entitled 'An act to suppress intemperance and to regulate the

sale of intoxicating liquors in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of the Topographical Survey of the Adirondack Wilderness, reported in favor of the passage of the same in the words following:

Resolved (if the Senate concur), That there be printed and bound in cloth for the use of this Legislature, by the legislative printer, 10,000 copies of the report on the Topographical Survey of the Adirondack Wilderness, sent to the Legislature of 1874, and the expense thereof not to exceed two dollars per copy, to be paid out of the appropriation for legislative printing.

Messrs. Hammond, Schuyler and Bradley dissented from said report.

Mr. Waehner moved to lay said report and resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker announced the question to be upon the adoption of the resolution.

Debate was had thereon, when

Mr. Bradley moved to refer the same back to the committee on public printing.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion of Mr. Bradley, and it was determined in the negative.

Mr. Vosburgh moved to amend by inserting the word "five" in lieu of the word "ten."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

} AYES 18 }
} NOES 99 }

Those who voted in the affirmative, were

Barkley;	Coffey	Hepburn	Reilly
Barrow	Costigan	Hess	Sherman
Beach	Fream	W. A. Johnson	Smith
Brogan	Green	O'Keefe	Vosburgh
Calkins	Hanrahan		

Those who voted in the negative, were

Alvord	Ely	Lawson	Shattuck
Beardsley	Farrar	Lewis	Sherwood
Benedict	Faulkner	Lillybridge	Sheil
Bennett	Fay	Lincoln	Silverman
Berry	Fish	Mackin	Slingerland
Bishop	Friend	McAfee	Speaker
Bordwell	Gallagher	McGowan	Stacy
Bradley	Gedney	Merwin	Stauf
Braman	Griffin	J. W. Miller	Stephens
Broas	Hammond	W. Miller	Struble
Brown	Hauschel	Muller	Talmadge
Burtis	Hinckley	Page	G. Taylor
T. C. Campbell	Hogan	Peck	W. F. Taylor

T. J. Campbell	Holmes ;	Petty	Tewksbury
Christopher	Houghton	Pierson	Tremain
Clark	Hussey	Pope	Waehner ;
Cleary	Husted	Prince	Wellington
Cole	Ives ;	Rich	Wenzel
Comstock	W. Johnson	Roscoe	West
Cooke	Keenan	Russell	Whitmore
Daggett	Kennaday	Schenck	Willis
Daly	Kirk	Schieffelin	Witbeck
Davis	Krack	Schuyler	Wurts
Decker	Kshinka	Scudder	Yost
Dessar	Lawrence	Seward	

Mr. Speaker then put the question whether the House would agree to the adoption of said report, and it was determined in the negative.

{ AYES 52 }
{ NOES 69 }

Those who voted in the affirmative, were

Alvord	Costigan	Husted	Sanford
Barrow	Decker	Keenan	Seward
Bennett	Fay	Kshinka	Sherman
Bishop	Fream	Lawson	Slingerland
Bordwell	Friend	Lincoln	Smith
Braman	Gedney	McAfee	Stauf
Broas	Green	McGroarty	Struble
Brogan	Hanrahan	O'Keefe	Tewksbury
Burtis	Hauschel	Page	Tremain
Calkins	Hepburn	Pope	Vosburgh
Cleary	Hess	Prince	Wenzel
Coffey	Houghton	Ransom	West
Comstock	Hussey	Reilly	Willis

Those who voted in the negative were,

Barkley	Farrar	Lillybridge	Scudder
Beach	Faulkner	Mackin	Shattuck
Beardsley	Fish	McGowan	Sherwood
Benedict	Gallagher	Merwin	Sheil
Berry	Griffin	J. W. Miller	Silverman
Bradley	Hammond	W. Miller	Speaker
Brown	Hinckley	Muller	Stacy
T. C. Campbell	Hogan	Oakley	Stephens
T. J. Campbell	Holmes	Peck	Talmadge
Christopher	Ives	Petty	G. Taylor
Clark	W. Johnson	Pierson	W. F. Taylor
Cole	W. A. Johnson	Rich	Waehner
Cooke	Kennaday	Roscoe	Wellington
Daggett	Kirk	Russell	Whitmore
Daly	Krack	Schenck	Witbeck
Davis	Lawrence	Schieffelin	Wurts
Dessar	Lewis	Schuyler	Yost
Ely			

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the

report of the State Commissioner in Lunacy, reported in favor of the adoption of the following resolution:

Resolved (if the Assembly concur), That 300 extra copies of the report of the State Commissioner in Lunacy be printed for the use of the Legislature, and 500 for the use of the Commissioner.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the negative.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of the report of the commissioners to revise the statutes, reported in favor of the passage of the same in the words following:

Resolved (if the Senate concur), That 2,000 copies of the report of the commissioners to revise the statutes, be printed for the use of the commissioners.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the negative.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of the report and testimony taken by the commissioners appointed by his Excellency the late Governor, in the disposition and management of the Cornell University Land Grant, reported in favor of the adoption of the following resolution:

Resolved (if the Senate concur), That 1,000 copies of the report and testimony taken by the commissioners appointed by his Excellency the late Governor, to investigate and report upon the disposition and management of the Cornell University Land Grant, be printed for the use of the Legislature.

Mr. Costigan moved to recommit said report to the committee on public printing.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Alvord moved to reconsider the adverse vote of the House on all the reports of the committee on public printing made this morning, except the first.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. West moved to reconsider the adverse vote of the House on the first report, and that that motion lay upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. G. Taylor, from the committee on public education, to which was referred the bill entitled "An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung," reported in favor of the passage of the same; which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill entitled "An act in relation to common schools in the city of New York," reported the same to the House, and moved that said bill be printed and recommitted to the committee on public education.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Brown, from the committee on petitions of aliens, to which was referred the bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate and for other purposes,' passed April 30, 1845, passed April 27, 1874," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Silverman offered for the consideration of the House a resolution, in the words following:

Resolved, That the report of the committee on expenditures of the House be now taken from the table.

Pending the question,

On motion of Mr. Daly, at 1 o'clock and 55 minutes, the House adjourned.

FRIDAY, FEBRUARY 5, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Clark.

The reading of the journal of yesterday was dispensed with.

Mr. Brogan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the city of Rochester to issue its bonds for the construction of a new school building."

"An act in relation to the rights and liabilities of married women."

"An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860."

"An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property."

"An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation."

"An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding hose carriage house in said city."

"An act to amend an act passed May 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk.'"

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The Senate bill entitled "An act to enable Genesee College to contract with Genesee Wesleyan Seminary to fulfill the obligations of said college, and to enable said college to transfer its property to said seminary for said purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 83 {
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Farrar	Lincoln	Seward
Barrow	Faulkner	Mackin	Sherman
Beach	Fream	McAfee	Sheil
Beardsley	Gedney	McGowan	Silverman
Benedict	Green	J. W. Miller	Slingerland
Berry	Griffin	Oakley	Smith
Bordwell	Hammond	O'Keefe	Speaker
Bradley	Hanrahan	Page	Stacy
Braman	Hauschel	Peck	Stephens
Brogan	Hess	Petty	Struble
Calkins	Hinckley	Pope	G. Taylor
T. C. Campbell	Holmes	Prince	W. F. Taylor
Christopher	Houghton	Ransom	Vosburgh
Clark	Hussey	Reilly	Wellington
Cleary	Ives	Rich	West
Comstock	W. Johnson	Roscoe	Whitmore
Cooke	Kirk	Russell	Willis
Daggett	Kshinka	Sanford	Witbeck
Daly	Lawson	Schieffelin	Wurts
Decker	Lewis	Schuyler	Yost
Ely	Lillybridge	Scudder	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to amend an act entitled 'An act to incorporate the Genesee Wesleyan Seminary,' passed May 1, 1834," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 86 {
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Costigan	Kshinka	Schuyler
Badger	Daggett	Law	Scudder
Barkley	Daly	Lawson	Sherman
Barrow	Davis	Lewis	Sherwood
Beach	Decker	Lillybridge	Sheil
Beardsley	Farrar	Lincoln	Silverman
Benedict	Faulkner	Mackin	Slingerland
Bennett	Fream	McAfee	Smith
Berry	Gedney	McGowan	Speaker
Bishop	Green	Merwin	Stauf
Bordwell	Hammond	J. W. Miller	Stephens
Bradley	Hanrahan	Oakley	Struble
Braman	Hauschel	Page	G. Taylor
Brogan	Hepburn	Peck	Tewksbury
Burtis	Hess	Petty	Vosburgh

Calkins	Hinckley	Pope	Wellington
T. C. Campbell	Hogan	Prince	West
T. J. Campbell	Holmes	Ransom	Willis
Christopher	Houghton	Russell	Witbeck
Clark	W. Johnson	Schenck	Wurts
Coffey	Kirk	Schieffelin	Yost
Cooke	Krack		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Leave of absence was granted to Messrs. Muller, Bowen and W. Miller indefinitely, and to Mr. Gallagher until Tuesday.

The bill entitled "An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawson	Scudder
Badger	Faulkner	Lillybridge	Seward
Beardsley	Fream	Mackin	Sherwood
Benedict	Friend	McAfee	Sheil
Berry	Gedney	McGowan	Silverman
Bishop	Green	Merwin	Slingerland
Bordwell	Griffin	J. W. Miller	Smith
Bradley	Hanrahan	Oakley	Stacy
Braman	Hauschel	O'Keefe	Stauf
Brogan	Hepburn	Page	Stephens
Burtis	Hess	Peck	Struble
Calkins	Hinckley	Petty	G. Taylor
T. C. Campbell	Hogan	Pope	W. F. Taylor
Christopher	Holmes	Prince	Tewksbury
Clark	Houghton	Ransom	Tremain
Cole	Hussey	Reilly	Vosburgh
Comstock	Ives	Rich	Wellington
Daggett	W. Johnson	Roscoe	Wetherbee
Daly	Keenan	Russell	Whitmore
Davis	Kennaday	Schenck	Willis
Decker	Krack	Schieffelin	Wurts
Dessar	Kshinka	Schuyler	Yost
Ely			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the better enforcement of certain penal laws," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 68 }
{ NOES 28 }

Those who voted in the affirmative, were

Alvord	Davis	Lewis	Sherwood
Badger	Decker	Lincoln	Slingerland
Barkley	Farrar	Mackin	Speaker
Beach	Gedney	McAfee	Stacy
Beardsley	Green	McGowan	Stephens
Benedict	Griffin	Merwin	Struble
Berry	Hammond	Peck	G. Taylor
Bishop	Hess	Petty	W. F. Taylor
Bordwell	Hinckley	Pope	Tewksbury
Braman	Hogan	Prince	Tremain
Burtis	Houghton	Russell	Vosburgh
Calkins	Hussey	Schenck	Waehner
T. C. Campbell	Husted	Schieffelin	Wellington
Clark	Ives	Schuyler	West
Comstock	W. Johnson	Scudder	Whitmore
Daggett	Kennaday	Seward	Willis
Daly	Krack	Sherman	Yost

Those who voted in the negative, were

Bennett	Faulkner	Lawson	Rich
Bradley	Friend	Lillybridge	Roscoe
Brogan	Hauschel	J. W. Miller	Sheil
T. J. Campbell	Hepburn	O'Keefe	Silverman
Cleary	Holmes	Page	Smith
Coffey	Keenan	Ransom	Stauf
Ely	Kirk	Reilly	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein

The bill entitled "An act amendatory of the several acts relating to Washington park in the city of Albany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Kshinka	Sherman
Beardsley	Fay	Lewis	Sherwood
Benedict	Fream	Lillybridge	Shiel
Berry	Friend	Lincoln	Silverman
Bishop	Green	Mackin	Slingerland
Bordwell	Griffin	McGowan	Stauf
Bradley	Hanrahan	Merwin	Stephens
Braman	Hauschel	Oakley	Struble
Brogan	Hepburn	O'Keefe	G. Taylor
Burtis	Hess	Petty	Tewksbury

Calkins	Hinckley	Pope	Tremain
Christopher	Hogan	Prince	Vosburgh
Clark	Holmes	Ransom	Waehner
Cleary	Houghton	Reilly	Wellington
Comstock	Hussey	Rich	Whitmore
Costigan	Husted	Roscoe	Willis
Daggett	Ives	Russell	Witbeck
Daly	W. Johnson	Schieffelin	Wurts
Davis	W. A. Johnson	Schuyler	Yost
Decker	Kennaday	Scudder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act excluding from the right of suffrage all persons convicted of bribery or of any infamous crime," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Seward
Badger	Ely	Kshinka	Sherman
Barkley	Farrar	Lawrence	Sherwood
Barrow	Faulkner	Lawson	Sheil
Beach	Fay	Lewis	Silverman
Beardsley	Fream	Lillybridge	Slingerland
Benedict	Friend	Lincoln	Smith
Bennett	Green	McAfee	Speaker
Berry	Griffin	Merwin	Stacy
Bishop	Hammond	J. W. Miller	Stauf
Bordwell	Hanrahan	O'Keefe	Stephens
Braman	Hauschel	Page	G. Taylor
Burtis	Hepburn	Peck	W. F. Taylor
Calkins	Hess	Petty	Tewksbury
T. C. Campbell	Hinckley	Pope	Tremain
Christopher	Hogan	Ransom	Vosburgh
Clark	Holmes	Reilly	Waehner
Cleary	Houghton	Rich	Wellington
Coffey	Hussey	Roscoe	West
Cole	Husted	Russell	Whitmore
Comstock	Ives	Schenck	Willis
Cooke	W. Johnson	Schieffelin	Witbeck
Daggett	W. A. Johnson	Schuyler	Wurts
Daly	Keenan	Scudder	Yost
Davis			

Those who voted in the negative, were

Bradley Brogan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
 { NOES 1 }

Those who voted in the affirmative, were

Alvord	Fay	Lawson	Sherman
Barkley	Friend	Lewis	Sherwood
Barrow	Gedney	Lillybridge	Sheil
Beach	Green	Lincoln	Silverman
Beardsley	Griffin	Mackin	Slingerland
Bennett	Hammond	McAfee	Speaker
Berry	Hanrahan	Merwin	Stacy
Bishop	Hauschel	J. W. Miller	Stauf
Bradley	Hepburn	Oakley	Stephens
Braman	Hess	O'Keefe	Struble
Brogan	Hinckley	Page	G. Taylor
Burtis	Hogan	Peck	W. F. Taylor
Calkins	Holmes	Petty	Tewksbury
T. C. Campbell	Houghton	Pope	Tremain
Christopher	Hussey	Reilly	Vosburgh
Clark	Husted	Roscoe	Wellington
Cole	Ives	Russell	West
Daggett	W. Johnson	Schenck	Wetherbee
Daly	W. A. Johnson	Schieffelin	Whitmore
Davis	Kennaday	Schuyler	Willis
Decker	Kirk	Scudder	Witbeck
Ely	Krack	Seward	Wurts
Farrar	Kshinka	Shattuck	Yost
Faulkner	Lawrence		

For the negative,

T. J. Campbell

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the rights and liabilities of married women," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Krack	Schuyler
Barkley	Decker	Kshinka	Scudder

Barrow	Farrar	Lawrence	Seward
Beach	Faulkner	Lewis	Shattuck
Beardsley	Fay	Lillybridge	Sherwood
Benedict	Fream	Lincoln	Sheil
Bennett	Friend	Mackin	Slingerland
Berry	Green	McAfee	Smith
Braman	Griffin	McGowan	Stauf
Brogan	Hanrahan	Merwin	Struble
Burtis	Hauschel	O'Keefe	G. Taylor
Calkins	Hepburn	Peck	Tewksbury
T. C. Campbell	Hess	Petty	Vosburgh
T. J. Campbell	Hinckley	Pope	Wellington
Christopher	Hogan	Prince	West
Clark	Holmes	Ransom	Whitmore
Cole	Houghton	Reilly	Willis
Comstock	Hussey	Roscoe	Witbeck
Costigan	W. Johnson	Russell	Wurts
Daggett	W. A. Johnson	Schenck	Yost
Daly	Kennaday	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 {
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Lawrence	Shattuck
Badger	Decker	Lewis	Sherman
Barkley	Ely	Mackin	Sherwood
Beach	Fay	McAfee	Sheil
Bear sley	Fream	McGowan	Slingerland
Benedict	Gedney	Merwin	Smith
Berry	Green	J. W. Miller	Speaker
Bishop	Hanrahan	Oakley	Stacy
Bordwell	Hauschel	O'Keefe	Stauf
Bradley	Hepburn	Page	Struble
Brogan	Hess	Peck	W. F. Taylor
Burtis	Hinckley	Petty	Tewksbury
Calkins	Hogan	Pope	Tremain
T. C. Campbell	Holmes	Prince	Vosburgh
T. J. Campbell	Houghton	Ransom	Waehner
Christopher	Husted	Reilly	Wellington
Clark	Ives	Roscoe	West
Comstock	W. Johnson	Russell	Whitmore
Cooke	W. A. Johnson	Schieffelin	Willis

Costigan
Daggett
Daly

Kennaday
Krack
Kshinka

Schuyler
Scudder
Seward

Witbeck
Wurts
Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Prince offered for the consideration of the House a resolution, in the words following:

Whereas, William Cullen Bryant, venerable in years and honored for his virtues, whose fame as journalist, author, patriot and poet has shed lustre on the State of New York, will visit the city of Albany as the guest of the Governor during the coming week; and

Whereas, It is proper that the House should show its sense of appreciation of the debt which all English-speaking people owe to this distinguished citizen and scholar, and it would be a pleasure to the individual members of this House to have an opportunity of making his personal acquaintance;

Resolved, That the privileges of the floor be extended to Mr. Bryant during his sojourn in the capitol; that he be invited to be present in this chamber on Tuesday next at 1 o'clock P. M., to be formally received by the Speaker and welcomed in terms befitting the occasion; and that a committee of five be appointed to carry this resolution into effect and make the necessary arrangements for such reception.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Messrs. Prince, Sherman, Seward, T. C. Campbell and Friend were appointed such committee.

The bill entitled "An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property," being announced for a third reading,

By unanimous consent, on motion of Mr. Lincoln, said bill was amended by striking out in lines 7 and 8 the words "actually or apparently."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 {
{ NOES 00 {

Those who voted in the affirmative, were

Alvord
Badger
Barkley
Barrow
Beach
Beardsley
Benedict
Bennett
Bradley
Burtis
Calkins

Ely
Farrar
Faulkner
Fream
Gedney
Green
Hammond
Hanrahan
Hauschel
Hepburn
Hess

Kshinka
Lawrence
Lewis
Lillybridge
Lincoln
Mackin
McAfee
McGowan
Merwin
J. W. Miller
Oakley

Seward
Shattuck
Sherman
Silverman
Smith
Speaker
Stacy
Stauf
Struble
G. Taylor
W. F. Taylor

T. C. Campbell	Hinckley	O'Keefe	Tremain
T. J. Campbell	Hogan	Page	Vosburgh
Christopher	Holmes	Peck	Waehner
Clark	Houghton	Petty	Wellington
Cleary	Hussey	Pope	West
Coffey	Husted	Roscoe	Whitmore
Comstock	Ives	Russell	Willis
Costigan	W. Johnson	Schenck	Witbeck
Daggett	W. A. Johnson	Schieffelin	Worth
Daly	Keenan	Schuyler	Wurts
Davis	Kennaday	Souder	Yost
Dessar	Kirk		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 6 }

Those who voted in the affirmative, were

Barkley	Dessar	Kirk	Shattuck
Beach	Ely	Krack	Sherman
Beardsley	Faulkner	Kshinka	Sheil
Benedict	Fay	Lawrence	Silverman
Bennett	Fream	Lewis	Smith
Berry	Green	Lincoln	Stacy
Bishop	Griffin	Mackin	Stauf
Bradley	Hammond	McGowan	Struble
Braman	Hanrahan	Merwin	G. Taylor
Calkins	Hauschel	J. W. Miller	W. F. Taylor
T. J. Campbell	Hess	Oakley	Tewksbury
Christopher	Hinckley	O'Keefe	Tremain
Clark	Hogan	Page	Vosburgh
Cleary	Holmes	Peck	Waehner
Coffey	Houghton	Petty	West
Cole	Hussey	Reilly	Whitmore
Comstock	Ives	Russell	Willis
Cooke	W. Johnson	Schieffelin	Worth
Costigan	W. A. Johnson	Schuyler	Wurts
Daggett	Kennaday		

Those who voted in the negative, were

Alvord	Gedney	Lillybridge	Speaker
Burtis	Husted		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding hose carriage house in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Krack	Sheil
Badger	Daggett	Kshinka	Silverman
Barkley	Daly	Lewis	Slingerland
Barrow	Ely	Lillybridge	Smith
Beach	Faulkner	Lincoln	Speaker
Beardsley	Fay	Mackin	Stacy
Bennett	Fream	Merwin	Stauf
Berry	Gedney	J. W. Miller	Struble
Bordwell	Green	O'Keefe	G. Taylor
Bradley	Griffin	Page	W. F. Taylor
Braman	Hanrahan	Peck	Tewksbury
Burtis	Hauschel	Petty	Tremain
Calkins	Hepburn	Pope	Vosburgh
T. C. Campbell	Hess	Reilly	Wellington
T. J. Campbell	Hinckley	Roscoe	West
Christopher	Hogan	Russell	Whitmore
Clark	Houghton	Schieffelin	Willis
Cleary	Hussey	Schuyler	Witbeck
Cole	W. Johnson	Scudder	Wurts
Comstock	Kennaday	Seward	Yost
Cooke	Kirk	Sherman	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Lawrence introduced a bill entitled "An act in relation to persons, corporations and associations doing business as diamond brokers or loan officers in the several cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. W. A. Johnson introduced a bill entitled "An act to repeal chapter 419 of the Laws of 1874, entitled 'An act to enable the town of Sardinia, Erie county, to raise money to build a town hall,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Kennaday introduced a bill entitled "An act to amend an act entitled 'An act to provide for the opening and improvement of a portion of Grand street in the city of Brooklyn, and the extension of the same, and improvement of such extension in Queens county, and to provide for the payment therefor,' passed June 16, 1874," which was read

the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. McGowan introduced a bill entitled "An act to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Smith introduced a bill entitled "An act for the repaving of Second avenue between Fourteenth street and Forty-second street in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Oakley introduced a bill entitled "An act to amend section 9 of chapter 423 of the Laws of 1853 in relation to corporations in the city of New York, in relation to life and health insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Faulkner introduced a bill entitled "An act regulating the erection and maintenance of fire escapes upon certain buildings, and for the better security of life in case of fire," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Reports of standing committees being announced,

Mr. Speaker stated the question to be upon the resolution of Mr. Silverman relative to taking from the table the report of the committee on expenditures of the House (on the subject of further and more employees), which was under consideration at the hour of adjournment yesterday.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to provide for assessing and collecting taxes for highway purposes from railroad companies," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to provide for the collection of taxes for highway purposes from railroad corporations," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, on behalf of the committee on ways and means, presented a bill entitled "An act to provide for the better care of pauper and destitute children," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the memorials of Franklin B. Hough on the subject of a centennial history of the State, reported them to the House and asked that they be laid on the table and printed.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to appoint a reporter of the decisions of the supreme court," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of Senate bill introductory No. 10, entitled "An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston," and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was so referred.

Mr. Waehner, from the committee on the judiciary, offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the Senate bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," and that the same be referred to the committee on commerce and navigation.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was so referred.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and of the alteration thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the further consideration of the bill entitled "An act to repeal chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868, also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said Marsh Land Company of moneys paid by them into the treasury of the State in pursuance of said chapter 864 of the Laws of 1868," and that the same be committed to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was so referred.

Mr. T. J. Campbell, from the committee on affairs of cities, to which was referred the bill entitled "An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process," reported in favor of the passage of the same, with amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Petty, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely, from the committee on roads and bridges, to which was referred the bill entitled "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection, repairing and preservation of bridges," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely, from the committee on roads and bridges, to which was referred the bill entitled "An act relating to the care of the draw-bridge over Newtown creek in the first ward of Long Island City and seventeenth ward of the city of Brooklyn," reported, asking to be discharged from the further consideration of said bill, and that the same be referred to the committee on general laws; which report was agreed to, and said bill was so referred.

Mr. Ely, from the committee on roads and bridges, to which was referred the bill entitled "An act to provide for the purchase, widening and improvement for public use of the Newtown and Jamaica plank-road, in the towns of Newtown and Jamaica, in the county of Queens, and to provide for the payment thereof," reported asking to be discharged from the further consideration of said bill, and that the same be referred to the committee on general laws, which report was agreed to, and said bill so referred.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend an act to condense and amend the several acts incorporating or relating to the village of Skaneateles, passed April 16, 1857, and the various acts amending the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend the charter of the village of Dansville," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Shattuck, from the committee on agriculture, to which was referred the bill entitled "An act to provide for taxing dogs, and for the collection of such tax," reported adversely thereto, which report was agreed to.

Mr. Alvord called from the table the report of the committee on rules, in the words following:

Amend rule No. 17 by adding thereto the following: "If the Speaker is in doubt as to whether any bill before the House comes within the restrictions of the Constitution, he may, even after it is ordered to a third reading, refer the bill to the committee on general laws for examination of the question."

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 61 }
{ NOES 38 }

Those who voted in the affirmative, were

Alvord
Badger
Barkley
Beach
Bishop

Dessar
Ely
Farrar
Faulkner
Fay

W. Johnson
W. A. Johnson
Kennaday
Kirk
Lillybridge

Seward
Sherman
Sherwood
Sheil
Silverman

Bordwell	Green	Mackin	Slingerland
Braman	Griffin	McAfee	Speaker
Burtis	Hammond	Oakley	Stephens
Calkins	Hauschel	O'Keefe	G. Taylor
T. C. Campbell	Hepburn	Petty	W. F. Taylor
T. J. Campbell	Hinckley	Pope	Tewksbury
Christopher	Hogan	Rich	West
Clark	Houghton	Russell	Whitmore
Comstock	Hussey	Schieffelin	Witbeck
Costigan	Husted	Schuyler	Wurts
Daly			

Those who voted in the negative, were

Barrow	Davis	Lincoln	Shattuck
Beardsley	Fream	McGowan	Smith
Benedict	Gedney	Merwin	Stauf
Bennett	Hanrahan	J. W. Miller	Struble
Berry	Hess	Page	Tremain
Bradley	Holmes	Ransom	Vosburgh
Brogan	Keenan	Reilly	Waehner
Coffey	Krack	Roscoe	Willis
Cole	Kshinka	Schenck	Worth
Cooke	Lewis		

Mr. Alvord moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Vosburgh presented a petition of William M. Woollett, for services as architect of Elmira Reformatory; which was read and referred to the committee on ways and means.

Mr. Kennaday presented a memorial of Julia A. Casby and others, relative to certain lands in the city of New York; which was read and referred to the committee on the judiciary.

Mr. Tewksbury presented a petition of M. D. Smith and other citizens of the towns of Castile and Perry, in Wyoming county, for an amendment to the game laws, so far as they relate to Silver lake, in said county; which was read and referred to the committee on internal affairs.

Also, a petition of citizens of Wyoming county, for an amendment to the game laws so far as the same relate to Silver lake, in said county; which was read and referred to the committee on internal affairs.

Mr. Gedney presented a petition of Charles Oakley and others, soldiers of the war of 1812, in relation to pensions; which was read and referred to the committee on ways and means.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Resolved, That 1,000 extra copies of the report of the Adjutant-General be printed and bound for the use of the Adjutant-General's department.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Wurtz offered for the consideration of the House a resolution, in the words following:

Whereas, There being an insufficient number of doorkeepers to attend such doors that are necessary, and as it is the request of several members to have a keeper appointed to take charge of the door leading from the post-office to the Assembly chamber; therefore,

Resolved, That the head doorkeeper have the appointment of a messenger to take charge of said door, and that he shall receive in compensation for his services the same salary as general messenger of the House for the session of 1875.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Keenan offered for the consideration of the House a resolution, in the words following:

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of the East river from the southern end of Blackwell's Island to a point off Corlear's Hook, so as to afford a safe and convenient navigation for vessels of all classes bound for the ports on the Long Island Sound and the Eastern States; therefore

Resolved, That improvements be made on said river so as to enable vessels drawing a heavy draught of water to pass through at all tides.

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early improvement of said river, and make necessary appropriations requisite for the completion of such improvement.

Resolved, That a copy of these resolutions, properly signed, be sent to our representatives in Senate and Congress.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be required to report to this House a bill providing for a uniform system for paving streets in the city of New York, together with a plan for assessments for work of that character.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Hauschel offered for the consideration of the House a resolution, in the words following:

Whereas, The people of the State of New York, by the overwhelming majority given in favor of the constitutional amendments, have unmistakably pronounced for local self-government; and

Whereas, In the words of his Excellency the Governor of this State, municipal trusts have been the traffic of the lobbies, inferior offices, contracts and even money being means of a competition from which those who could not use these weapons were excluded; therefore,

Resolved, That the committee on affairs of cities be requested to ascertain, if practicable, the names of heads of departments, subordinates and employees in the city of New York who were appointed or had their term of office extended, either by direct legislation or by the direct interference of Senators and Members of Assembly, excepting those from the city of New York from the 1st day of January, 1870, to the 1st day of January, 1875; and that said committee report the facts thus ascertained to this House without unnecessary delay, and that said committee have power to send for persons and papers.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Stauf offered for the consideration of the House a resolution, in the words following:

Resolved, That the reply of the Superintendent of the Insurance Department, in regard to the fire insurance companies doing business in this State, and the report of the Superintendent annexed thereto, be referred to the committee on insurance.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Seward offered for the consideration of the House a resolution, in the words following:

Resolved, That the State Engineer and Surveyor be and he is hereby requested to report to the Assembly the progress made during the past year in the introduction of steam power on the canals of the State, the number and character of the steam canal boats employed, and how far in his estimation they have met with success.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed Wm. H. Anderson a page, in place of Andrew B. Herd removed.

Mr. Gedney offered for the consideration of the House a resolution, in the words following:

Whereas, Chapter 628 of the Laws of 1871 directs the commissioners of Central park in the city of New York, in conjunction with the Major-General of the First Division of the National Guard, to acquire lands, and lay out the same, to be used as a parade ground for said National Guard; and

Whereas, Said commissioners and said Major-General have taken the initiatory steps toward acquiring such land, yet have done nothing further to place it in a condition for occupancy by the State militia; therefore,

Resolved, That a copy of this preamble and this resolution be sent by the Clerk of this Assembly to said Central park commissioners for their statement of the reasons why the provisions of said law have not been carried out, and also for them to indicate what, if any, legislation is required to complete said parade ground, and the said commissioners are hereby requested to answer this inquiry as soon as practicable.

Said resolution giving rise to debate,

Ordered, That the same be laid upon the table.

Mr. Brogan offered for the consideration of the House a resolution, in the words following:

Resolved, That the report of the committee on expenditures of the House be now taken from the table and referred back to such committee.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Braman offered for the consideration of the House a resolution, in the words following:

Whereas, By chapter 269 of the Laws of 1872, the formation of a company for the construction of a bridge across the Hudson river was authorized; and,

Whereas, It is represented that under the provisions of that act the Albany and Greenbush Bridge Company has been organized, but that said company has taken no steps to locate or construct said bridge; and,

Whereas, It is represented that some persons pretending to represent said company have undertaken to contract with the common council of the city of Albany for the South ferry property owned by said city, and if said purchase should be consummated it would have the effect to stop the only ferry between Albany and the village of Greenbush, without the construction of a bridge to take its place; therefore,

Resolved, That the committee on commerce and navigation investigate the circumstances of this matter, and make such further inquiry as said committee shall think will throw light upon the subject, and as speedily as possible report to this House what legislation, if any, would be proper in the premises.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sherman offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk be authorized to provide a room for the use jointly of the committees on claims, State prisons, and Indian affairs in the building No. 144 State street, provided the same may be obtained without payment of additional rent for the said building.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. Wurtz offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of this House be directed to secure a suitable room for the use of the committees on public health, State charitable institutions, and petitions of aliens.

Ordered, That said resolution be referred to the committee on expenditures of the House.

Mr. G. Taylor moved that when this House adjourns it adjourn until Monday evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. T. C. Campbell, at 1 o'clock, the House adjourned.

MONDAY, FEBRUARY 8, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Unholz.

On motion of Mr. Waehner, the reading of the journal of Friday, the 5th inst., was dispensed with.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the city of Albany to issue its bonds to procure means to pay in part for the erection of an edifice for a public high school."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend an act entitled 'An act authorizing the incorporation

of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Speaker presented the annual report of the trustees of the De Veaux College for Orphan and Destitute Children; which was laid on the table and ordered printed.

(See Doc. No. 55.)

Also, presented resolutions of the Chamber of Commerce of the State of New York, relative to the State canals; which were read and referred to the committee on canals, and ordered printed.

(See Doc. No. 54.)

Also, presented a memorial of Chamber of Commerce of the State of New York on Senate bill No. 9, relative to throwing ashes or cinders from steamboats; which was read and referred to the committee on commerce and navigation.

Mr. Ransom introduced a bill entitled "An act for the relief of Jacob F. Graff," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Also, presented a petition relating to the same; which was read and referred to the same committee.

Also, the bill entitled "An act for the relief of George Jones and Harvey Booth," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Also, presented a petition relating to the same; which was read and referred to the same committee.

Also, the bill entitled "An act to amend an act entitled 'An act to amend the incorporation of the village of Lancaster, in the county of Erie,' passed April 14, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. T. C. Campbell introduced a bill entitled "An act to provide for the aid and support of the poor in the various counties of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waehner introduced a bill entitled "An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Keenan introduced a bill entitled "An act in relation to the use of the property bounded by Ninety-fifth and Ninety-sixth streets, the First avenue and the East river, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Dessar introduced a bill entitled "An act to authorize the change of the name of the Central Park Savings Bank in the city of New York to the East Side Savings Bank of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Prince introduced a bill entitled "An act to revise and consolidate the laws relating to savings banks and institutions for savings, and to make uniform their powers, privileges, duties and liabilities," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, the bill entitled "An act to amend an act entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village,' passed April 18, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Husted introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of corporations for the erection and keeping of hotels,' passed April 9, 1874, so as to extend the same to safe deposit companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Kirk introduced a bill entitled "An act to confirm the proceedings of the board of supervisors of the county of New York, in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Daly, the privileges of the floor were extended to Mr. Eastman.

Leave of absence was granted to Mr. Pierson until Thursday morning.

On motion of Mr. Alvord, at 7 o'clock and 45 minutes, the House adjourned.

TUESDAY, FEBRUARY 9, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Graham.

The journal of yesterday was read and approved.

Mr. Speaker presented the annual report of the Secretary of State on Criminal Statistics; which was laid on the table and ordered printed.

(*See Doc. No. 56.*)

Mr. Speaker announced the special order, being the consideration of the bills entitled as follows:

"An act for the incorporation of societies for the prevention of cruelty to children."

"An act relating to children."

The House then resolved itself into a committee of the whole on the above entitled bills.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Petty, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

Mr. T. J. Campbell moved that said bills be made a special order for one week from to-day.

Mr. Alvord moved to amend by making said bills the special order for to-morrow morning immediately after the reading of the journal.

Mr. Lincoln moved as an amendment to the amendment that said bills be made a special order for Thursday evening at 7½ o'clock, and that a session of the House be held for that purpose.

Mr. Speaker put the question whether the House would agree to said amendment of Mr. Lincoln, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said amendment of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. T. J. Campbell, as amended, and it was determined in the negative.

Mr. Lincoln moved to make said bills a special order for Thursday next.

Mr. Waehner moved to amend said motion by adding thereto the words "immediately after the reading of the journal."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Waehner, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Lincoln, as amended, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof,

Mr. Alvord moved that the House take a recess until 10 minutes before 1 o'clock P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

This being the day assigned by the rules for the consideration of general orders,

Mr. Husted moved to lay that order of business on the table for the purpose of taking up the order of business, introduction of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Braman introduced a bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act for the improvement of Dry river in the town of Watervliet and village of West Troy, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion, the privileges of the floor were extended to Hon. Messrs. Blakie, Niles, Dickson, Geo. Opdyke and W. S. Opdyke.

Mr. Scudder introduced a bill entitled "An act to prohibit the cutting of ice within one-quarter of a mile from any highway crossing any river or stream," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Stauff introduced a bill entitled "An act to repeal chapter 234 of the Laws of 1874, entitled 'An act to amend an act for providing a site for an armory in the city of New York for the use of the Seventh regiment of the National Guard of the State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Lincoln introduced a bill entitled "An act to authorize the town of Richmond, in the county of Ontario to raise money to build a town hall," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lincoln, and by unanimous consent, said bill was ordered printed and to a third reading.

Mr. J. W. Miller introduced a bill entitled "An act to incorporate Saint Luke's House and Hospital of Newburgh and New Windsor, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Oakley introduced a bill entitled "An act in relation to the draw bridge over Newtown creek, between the first ward of Long Island City and the seventeenth ward of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. W. F. Taylor introduced a bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburg, in the county of Rensselaer,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Scheiffelin introduced a bill entitled "An act to legalize and confirm the official acts of William P. Lee as notary public in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wellington introduced a bill entitled "An act to amend an act entitled 'An act to authorize plank-road and turnpike companies formed under and by virtue of part 1, chapter 18, title 1, article 5 of the Revised Statutes to extend their charter or corporate existence,' passed April 18, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Bowen introduced a bill entitled "An act for the relief of Leander Laduke," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Lewis introduced a bill entitled "An act to provide for the construction of a canal bridge over the Erie canal at James street, in the city of Rome," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Daggett introduced a bill entitled "An act to prevent the setting of fykes and other nets in the North and South ponds of Little Sandy creek, in the town of Sandy Creek, Oswego county," which was read the time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Hammond, from the committee on ways and means, to which was referred the Senate bill entitled "An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston,"

reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. T. J. Campbell, the House took a recess until 12 o'clock and 50 minutes.

TWELVE O'CLOCK AND FIFTY MINUTES.

The House again met.

The hour of one o'clock having arrived, the committee on the part of the Assembly appointed to arrange for the reception of Hon. William Cullen Bryant to the floor of the House appeared with his honor, who was presented by Mr. Prince of said committee in the words following:

Mr. Speaker — I have the honor, on behalf of the committee appointed for that purpose by the House, to introduce Mr. William Cullen Bryant, whose name — whose simple name — is better than any eulogy.

Mr. Speaker, on behalf of the House, then welcomed him in the words following:

Mr. Bryant—The people of the State of New York, through their representatives here assembled, have instructed me to welcome you in their name to their capitol, and extend to you during your sojourn in this city, as the guest of his Excellency the Governor, the privileges of this floor.

I need not assure you that it is pleasure to perform this agreeable duty. Your long and distinguished service as a journalist, your exalted patriotism in public, and unblemished purity in private life, your world-wide fame as an author and poet, all combine in a pre-eminent degree to the popular demand of an expression to you of a cordial recognition and grateful appreciation felt by the whole people of this entire State.

To all classes of society—of whatever calling, profession or avocation—whether the aspiring politician, or the mature statesman, the child of genius, or the devotee of letters—your name and services are as familiar as household words.

Many of us who have crossed and are crossing the meridian line of life, remember you as one of the foremost of journalists; one from whom we drew much of our political inspiration when principles were the shibboleths of party warfare; when finance, tariff, banks, distribution of public lands and kindred questions were the all-absorbing topics for government action—we remember you as the fearless denouncer of wrong and official delinquency, the uncompromising foe of all schemes of jobbing and plunder, the ardent friend of progress and reform, an able and vigorous advocate for the maintenance of those principles underlying our fabric of government, and a watchful sentinel to sound the alarm whenever those principles were violated, or the citadel of civil liberty was invaded. We remember you as a coadjutor of and co-worker with that band of men of the past generation—the most gifted, pure and patriotic that this or any other State ever produced, and to-day we look upon you as the last surviving representative of that bright and brilliant galaxy of statesmen who ignored self and labored only for the welfare, prosperity and advancement of the interests of a common country.

And how peculiarly appropriate that you should again visit this chamber, rendered classic by the eloquence of your early friends and

associates, and once more view the place from which they started on the high road to fame, usefulness and power. Though their seats as to them are vacant, and their voices are hushed in death—their works live after them—and their memories speak to you more eloquently than any words of mine.

Your devotion for a half of a century to constitutional government—to the promotion of the interests of your country, to ennobling and dignifying labor, to the exposure of corruption and denunciation of usurpation, have in the hearts of the people raised a monument more enduring than brass, more lasting than marble; and when this granite building shall have crumbled to dust and the monumental pile has gone to demolition or decay, the name of William Cullen Bryant will stand in ineffaceable letters of gold upon the pages of our history as the fearless advocate of right and the unflinching foe of wrong; one who, while teaching his fellow men their political duties, found time to adorn the literature of his country, which not only sheds a lustre upon the State and nation, but commands the homage and compels the admiration of all English-speaking peoples.

From the calm and more peaceful study of the scholar and the poet comes your greatest renown—a renown imperishable and indestructible—increasing and brightening as the ages roll on. From that study has proceeded all that is elevated in thought, pure in style and elegant and classic in diction.

In your political teachings as well as in your scholarly attainments—in your long and useful life, unsullied in name and unspotted in reputation, the people of this State take pride, and have deputed me, as the presiding officer of this body, to convey to you an expression of their respect and esteem.

Venerable man—journalist, sage, author, statesman and poet—welcome, thrice welcome, to this Hall, to receive the homage tendered by a great and sovereign people, and an assurance from them that

“When you sink to rest you’ll sleep
By all your country’s wishes blest.”

Mr. Bryant was then introduced to the gentlemen of the Assembly by the Speaker of the House, and remarked as follows:

Mr. Speaker and Gentlemen of the House of Assembly—I cannot take to myself the flattering words which have been uttered by the presiding officer of this Assembly. It would be the utmost stretch of self-adulation to do so. You will allow me, therefore, gentlemen, to put a great deal of what has been said, as well as a great deal of the honor of this reception, to the credit of old age. Old age, my friends, is a rarity; and rarity, you know, scarcity, is an element of value. Things that are not useful are often rated at a high value merely on account of the circumstance that they are rarely to be met with. If pebbles were as scarce as diamonds, pebbles would no longer be picked up to throw at dogs, but would be sought out eagerly by the mineralogists, would be deposited in cabinets, and would be gazed at with admiration. I therefore find it proper, and no other than proper, that I should divide the greater part of this honor with those who are my coequals, the remnants of a generation that have passed away, overlooking the flood of waters in which they must themselves soon sink and be submerged. I can, therefore, only return my best acknowledgments, my sincere thanks, for this honor, both in their name and in my own, adding my best wishes—my wishes that the deliberations of this Assembly may

ever be wise, their conclusions just and honest, that no desire for self-aggrandisement or for profit may ever interfere to taint your proceedings, and that the labors of this Assembly, performed in this session, may be hereafter recorded as an honor to them and to the great State which they represent.

On motion of Mr. Prince, the House took a recess until 1 o'clock and 45 minutes.

ONE O'CLOCK AND FORTY-FIVE MINUTES

The House again met.

On motion of Mr. Husted, at 1 o'clock and 48 minutes, the House adjourned.

WEDNESDAY, FEBRUARY 10, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. McLaughlin.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Sisterhood of Grey Nuns, in the State of New York,' passed April 6, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

"An act to legalize and confirm the official acts of William Burr, a justice of the peace of the town of Lindley, in the county of Steuben, and to enable him to take and file his oath of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act, entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Leave of absence was granted to Mr. G. Taylor indefinitely.

Mr. Braman introduced a bill entitled "An act to confirm and levy the assessment for the expense of constructing a sewer in Myrtle avenue, Snipe street, and the Washington park, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Vedder introduced a bill entitled "An act in relation to the eligibility of electors of towns owning stocks of railway companies to be

directors of such companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Edson introduced a bill entitled "An act to amend an act entitled 'An act in regard to publishing the account of incorporated villages in this State,' passed May 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Hinckley introduced a bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, so as to exempt Chautauqua lake from certain provisions of said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Lawrence introduced a bill entitled "An act directing the mayors of cities and the president of villages to appoint patrolmen on wharves and docks, for the purpose of better protecting human life," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Silverman introduced a bill entitled "An act to reduce rates of ferriage on certain ferry routes between the city of New York and the seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. McGroarty introduced a bill entitled "An act to amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Schenck introduced a bill entitled "An act to legalize and confirm the official acts of Robert Payne, of Brooklyn, Kings county, as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. T. C. Campbell introduced a bill entitled "An act to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Muller introduced a bill entitled "An act to provide for the election of school trustees of the common schools of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Waehner introduced a bill entitled "An act in relation to evidence in certain suits in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hauschel introduced a bill entitled "An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York in designating the New Yorker Journal to publish notices in the

year 1872, in relation to paving streets, laying cross-walks and building sewers in said city and providing for payment for the publication of such notices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Brogan introduced a bill entitled "An act in relation to street railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Ives introduced a bill entitled "An act to confirm the reorganization of the First Universalist Society of Marshall, New York, and to authorize the trustees of said society to sell and convey real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. J. W. Miller introduced a bill entitled "An act in relation to the licensing of persons to take charge of stationary steam boilers in the State of New York, except in the Metropolitan police district, and to repeal chapter 969 of the Laws of 1867, in relation to the inspection of steam boilers in this State, except in the Metropolitan district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Witbeck introduced a bill entitled "An act to release to Patrick J. Wallace, as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Krack introduced a bill entitled "An act to authorize officers to serve attachments issued for witnesses in justices' courts in adjoining counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennaday introduced a bill entitled "An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Vedder introduced a bill entitled "An act to provide for the discharge of judgments against persons discharged under the bankrupt law," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Schuyler from the committee on banks, to which was referred the bill entitled "An act in regard to contracts for the purchase and sale of gold," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the care of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith,' passed May 11, 1874, being chapter 426 of the Laws of 1874," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize attorneys of the supreme court of this State to act as notaries public in certain cases," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the appointment of an

additional number of notaries public for the county of New York," reported adversely thereto, which report was agreed to.

Mr. Waehnér, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 109 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to regulate conditional sales of goods, chattels and personal property," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Berry, from the committee on expenditures of the House, submitted the following amended report:

A large number of resolutions have been referred to this committee providing, on various grounds, for the appointment of additional officers in the service of the Assembly. It has not been satisfactorily shown to the committee that appointments in any of these cases are immediately necessary except in those of assistant doorkeepers. The committee are informed by competent and experienced officers of the Assembly that the number of these officers is at present inadequate to the performance of the duties required of them, in consequence of an additional door having been added to the chamber since the session opened by replacing the partition between the chamber and cloak room, and because as many as three of the appointed doorkeepers have been absent within the past week from sickness or other good cause, which facts, in the opinion of the committee, constitute an emergency such as provided for by law, and that at least two additional doorkeepers are therefore necessary. After due consideration of the claims and fitness of many applicants, the committee have decided that the person named in the appended resolution is a desirable and proper person for such appointment, the committee, therefore, recommend the adoption of the following:

Whereas, An additional door has been added to this Assembly chamber since the opening of the session; and,

Whereas, Three assistant doorkeepers have been absent within a week from sickness or other good cause; and,

Whereas, An emergency has thus arisen which necessitates the employment of an additional assistant doorkeeper; therefore,

Resolved, That P. J. Mahon be appointed as such additional assistant doorkeeper, with compensation for and during the present session at the rate of five dollars per day, and that he be assigned by the Sergeant-at-Arms to such post of duty as may best supply the existing need.

The committee also recommend the following:

Whereas, An additional door has been added to this Assembly chamber since the opening of the session; and,

Whereas, Three assistant doorkeepers have been absent within a week from sickness or other good cause; and,

Whereas, An emergency has thus arisen which necessitates the employment of a further additional assistant doorkeeper; therefore,

Resolved, That Enos Austin be appointed as such additional assistant doorkeeper, with compensation for and during the present session at the rate of five dollars per day, and that he be assigned by the Sergeant-at-Arms to such post of duty as may best supply the existing need.

On motion of Mr. Waehner, said report was laid on the table.

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution relative to the appointment of R. B. Vose as superintendent of the mailing and express department, reported in favor of the passage of the same, in the words following:

Resolved, That R. B. Vose be and he is hereby appointed superintendent of the mailing and express department during the present session, at a compensation of five dollars per day.

On motion of Mr. Waehner, said report was laid on the table.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the seventh annual report of the Commissioners of Fisheries of the State of New York, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 2,000 extra copies of the seventh annual report of the Commissioners of Fisheries of the State of New York be printed for the use of the Legislature and a similar number for said Commissioners.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the report of the Adjutant-General, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 1,000 copies of the report of the Adjutant-General be printed and bound for the use of the Adjutant-General's department.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. West moved to take from the table the motion to reconsider the vote on the report of the committee on public printing relative to printing the report of Verplanck Colvin on the Adirondack regions.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the question to be upon the motion to reconsider the vote by which said report was lost.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative.

{ AYES 73 }
{ NOES 43 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Sherman
Barrow	Edson	Law	Sheil
Beach	Fay	Lawrence	Silverman

Beardsley	Fream	Lawson	Slingerland
Bennett	Friend	Lillybridge	Smith
Bishop	Gallagher	Lincoln	Stauf
Bordwell	Gedney	McAfee	Struble
Bowen	Green	McGroarty	W. F. Taylor
Bradley	Hanrahan	J. W. Miller	Tewksbury
Braman	Hauschel	Muller	Tremain
Broas	Hepburn	O'Keefe	Vedder
Brogan	Hess	Page	Wenzel
Brown	Holmes	Petty	West
Burtis	Houghton	Pope	Wetherbee
Calkins	Hussey	Prince	Whitmore
Cleary	Husted	Ransom	Willis
Coffey	Keenan	Reilly	Witbeck
Comstock	Kennaday	Seward	Wurts
Costigan			

Those who voted in the negative, were

Benedict	Faulkner	Mackin	Schuyler
Berry	Griffin	McGowan	Scudder
T. C. Campbell	Hammond	Merwin	Shattuck
T. J. Campbell	Hinckley	W. Miller	Sherwood
Clark	Hogan	Oakley	Stacy
Cole	Ives	Peck	Talmadge
Cooke	W. Johnson	Rich	Vosburgh
Daggett	W. A. Johnson	Roscoe	Waehner
Davis	Kirk	Russell	Wellington
Dessar	Krack	Schenck	Yost
Ely	Lewis	Schieffelin	

The question being on the adoption of said report,

Mr. West moved to strike out the word "ten" and insert the word "five," and to strike out the words "two dollars," and insert in lieu thereof the words "one dollar and fifty cents."

Mr. T. C. Campbell moved to amend so as to make the price one dollar per copy.

Debate was had thereon, when

Mr. T. J. Campbell moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. T. C. Campbell, and it was determined in the negative.

{ AYES 29 }
{ NOES 81 }

Those who voted in the affirmative, were

Benedict	Hammond	Lawrence	Schenck
T. C. Campbell	Hogan	Lewis	Schieffelin
T. J. Campbell	Holmes	McGowan	Schuyler
Daggett	W. Johnson	Muller	Scudder
Daly	Kirk	Peck	Shattuck
Davis	Krack	Rich	Speaker
Dessar	Kshinka	Roscoe	Vosburgh
Faulkner			

Those who voted in the negative, were

Alvord	Decker	Lawson	Silverman
Barrow	Fay	Lincoln	Slingerland
Beach	Fream	Mackin	Smith
Beardsley	Friend	McAfee	Stauf
Bennett	Gallagher	McGroarty	Struble
Berry	Gedney	Merwin	Talmadge
Bishop	Green	J. W. Miller	W. F. Taylor
Bordwell	Hanrahan	W. Miller	Tewksbury
Bowen	Hauschel	Oakley	Tremain
Bradley	Hepburn	O'Keefe	Vedder
Braman	Hess	Page	Waehner
Brogan	Hinckley	Petty	Wellington
Burtis	Houghton	Pope	Wenzel
Calkins	Hussey	Prince	West
Clark	Husted	Reilly	Wetherbee
Cleary	Ives	Russell	Whitmore
Coffey	W. A. Johnson	Seward	Willis
Cole	Keenan	Sherman	Witbeck
Comstock	Kennaday	Sherwood	Wurts
Cooke	Law	Sheil	Yost
Costigan			

Mr. Speaker put the question whether the House would agree to said motion of Mr. West, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report as amended, and it was determined in the affirmative.

{ AYES 69 }
{ NOES 47 }

Those who voted in the affirmative, were

Alvord	Edson	Kshinka	Sherman
Barrow	Fay	Law	Sheil
Beach	Fream	Lawrence	Silverman
Beardsley	Friend	Lawson	Slingerland
Bennett	Gallagher	Lillybridge	Smith
Bishop	Gedney	Lincoln	Stauf
Bordwell	Green	McAfee	Struble
Bowen	Hanrahan	McGroarty	Talmadge
Bradley	Hauschel	J. W. Miller	W. F. Taylor
Braman	Hepburn	O'Keefe	Tewksbury
Broas	Hess	Page	Tremain
Brogan	Hinckley	Petty	Vedder
Burtis	Houghton	Pope	Wenzel
Calkins	Hussey	Prince	West
Cleary	Husted	Ransom	Wetherbee
Coffey	Keenan	Reilly	Willis
Comstock	Kennaday	Seward	Witbeck
Decker			

Those who voted in the negative, were

Benedict	Ely	Mackin	Scudder
Berry	Faulkner	McGowan	Shattuck

T. C. Campbell	Griffin	Merwin	Sherwood
T. J. Campbell	Hammond	W. Miller	Speaker
Clark	Hogan	Oakley	Stacy
Cole	Holmes	Peck	Vosburgh
Cooke	Ives	Rich	Waehner
Costigan	W. Johnson	Roscoe	Wellington
Daggett	W. A. Johnson	Russell	Whitmore
Daly	Kirk	Schenck	Wurts
Davis	Krack	Schieffelin	Yost
Dessar	Lewis	Schuyler	

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to confirm the proceedings of the board of supervisors of the county of New York in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend section 46 of an act to revise the charter of the city of Buffalo, passed April 28, 1870, relative to the jurisdiction of ward justices of the peace," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York,' passed May 7, 1872, chapter 590, Laws of 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to release the interest of the people of the State of New York in certain real estate lying under the water of Seneca lake to Hobart College," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to authorize the town of Richmond, in the county of Ontario, to raise money to build a town-house."

Mr. Speaker presented the following communication:

STATE OF NEW YORK,
DEPARTMENT OF PUBLIC INSTRUCTION,
SUPERINTENDENT'S OFFICE, ALBANY, *February* 10, 1875. }

The Hon. JEREMIAH McGUIRE, *Speaker of the Assembly*:

Sir—I herewith transmit to the Legislature the twenty-first annual report of the Superintendent of Public Instruction, and the documents accompanying the same.

Very respectfully, your obedient servant,

NEIL GILMOUR,
Superintendent of Public Instruction.

Ordered, That said report be laid on the table and printed.

(See Doc. No. 60.)

Mr. Speaker presented a communication from the Governor, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *February* 10, 1875.

To the Legislature :

I have the honor to transmit herewith a copy of a joint resolution of the Legislature of West Virginia relating to recent occurrences in the State of Louisiana.

SAMUEL J. TILDEN.

Ordered, That said resolution be laid on the table and printed.

(See Doc. No. 59.)

Messrs. Vosburgh, Vedder, Keenan, Seward, Hauschel, Waehner, Prince, Lincoln, Petty, Clark and Struble presented petitions of veteran soldiers in relation to the soldiers' homestead law; which were read and referred to the committee on militia.

Mr. Edson presented a petition to amend an act entitled "An act to authorize the construction of a railroad from Dunkirk to Fredonia, passed April 21, 1864, and also an act amendatory thereto, passed February 10, 1866;" which was read and referred to the committee on railroads.

Mr. Lawrence presented a petition of the Vessel Owners and Captains' Association of New York, for the repeal of Hell Gate pilotage; which was read and referred to the committee on commerce and navigation.

Mr. Petty presented a remonstrance of the citizens of the county of Suffolk against the passage of the act to prevent fishing with pound nets in the Great South bay of Long Island; which was read and referred to the committee on internal affairs.

Mr. Gallagher presented a petition of citizens of Erie county for the reduction of tolls; which was read and referred to the committee on canals.

Mr. Barrow presented a petition for improving a road across Onondaga Indian Reservation; which was read and referred to the committee on ways and means.

Mr. Talmage presented a petition in relation to Prospect park; which was read and referred to the committee on affairs of cities.

Mr. Hauschel presented a memorial and petition of Feodore Mierson for relief; which was read and referred to the committee on the judiciary.

By unanimous consent, Mr. Beach introduced a bill entitled "An act to amend chapter 433 of the Laws of 1874, entitled 'An act relative to the Metropolitan Drawing-room Car Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Badger offered for the consideration of the House a resolution, in the words following :

Resolved, That the papers relating to the claim of Thos. D. Gilson, late clerk of Clinton prison, be taken from the files of the House and referred to the committee on claims.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Shattuck offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That 3,000 copies of the addresses made by the President of the Senate and the Speaker of the House to Mr. William Cullen Bryant, and his responses thereto, be printed for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Prince offered for the consideration of the House a resolution, in the words following:

Whereas, The recent amendment to section 6 of article 7 of the Constitution of this State permits the Legislature to sell, lease or otherwise dispose of any of the canals of the State except the Erie, the Champlain, the Oswego and the Cayuga and Seneca canals; and,

Whereas, Many of the other canals, generally known as the laterals, from changes in the products of the country and the building of railroads, have lost such usefulness as they originally possessed, and are now sources of great annual expense to the State; and,

Whereas, The preservation of the commerce of the State requires the improvement of the Erie canal and the lowest practicable tolls thereon, both of which objects can be attained without taxation when the immense yearly deficiencies caused by the retention of the lateral canals are removed; and,

Whereas, It will be necessary to retain some portions of said lateral canals as feeders to the trunk canals and otherwise, and this House should have full information upon the subject before proceeding to act; therefore,

Resolved, That the Canal Commissioners be requested to report to this House, before the 1st day of March next:

1. The portions of the lateral canals which, in their judgment, it is desirable for the State to retain as feeders or otherwise, with the reasons therefor.

2. The portions of the laterals which, in their opinion, it is desirable that the State should dispose of.

3. The best manner, in their judgment, of disposing of the same.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

On motion of Mr. W. Johnson, the committee on internal affairs was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors,' passed April 16, 1857, and to amend an act entitled 'An act regulating the sale of intoxicating liquors,' passed April 11, 1870," and the same ordered printed and recommitted to the same committee.

On motion of Mr. W. Johnson, the bill entitled "An act to prevent fishing with pound nets in the waters of the Great South bay of Long Island, in the State of New York," was recommitted to the committee on internal affairs.

Mr. Dessar offered for the consideration of the House a resolution, in the words following:

Whereas, It has been repeatedly charged by the public press of this State, that the supply bill of last year was tampered with after the same had passed both houses, to wit: that the sum of \$10,000 for salary of the Superintendent of the New Capitol had been fraudulently and surreptitiously inserted therein subsequent to its passage in both houses; and,

Whereas, These grave accusations so publicly made, if permitted to pass unnoticed, lower the character of the preceding Legislature, and reflect dishonor upon some of its honored members; and,

Whereas, It is eminently proper that a thorough investigation be had, which may lead to an exposure of said alleged fraudulent acts and the parties therewith connected, so that the public may know upon whom to fasten the alleged crime; therefore, be it

Resolved, That a special committee of five members of this House be appointed by the Speaker to inquire into the irregularities alleged to have occurred in relation to the annual supply bill of last year, and especially to ascertain whether the appropriation of \$10,000 for the salary of the Superintendent of the New Capitol was inserted in said bill after the same had passed both houses, and whether the bill as approved by the Governor was identical with that reported by the conference committee and passed by this House, or any other matters appertaining to the subject, with power to send for persons and papers, and to report at any time.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Waehner called from the table the resolution previously offered by him, in the words following:

Resolved, That the committee on affairs of cities be required to report to this House a bill providing for a uniform system for paving streets in the city of New York, together with a plan for assessments for work of that character.

Mr. Waehner moved to amend said resolution by striking out the word "required," and inserting in lieu thereof the word "requested."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dessar moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution as amended, and it was determined in the affirmative.

Mr. Gedney called from the table the resolution previously offered by him, in words following:

Whereas, Chapter 628 of the Laws of 1871 directs the commissioners of Central park in the city of New York, in conjunction with the Major-General of the First Division of the National Guard, to acquire lands, and lay out the same, to be used as a parade ground for said National Guard; and

Whereas, Said commissioners and said Major-General have taken the initiatory steps toward acquiring such land, yet have done nothing further to place it in a condition for occupancy by the State militia; therefore,

Resolved, That a copy of this preamble and this resolution be sent by the Clerk of this Assembly to said Central park commissioners for their statement of the reasons why the provisions of said law have not been carried out, and also for them to indicate what, if any, further legislation is required to complete said parade ground, and the said commissioners are hereby requested to answer this inquiry as soon as practicable.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Keenan called from the table the concurrent resolution previously offered by him, in the words following :

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of the East river from the southern end of Blackwell's Island to a point off Corlear's Hook, so as to afford a safe and convenient navigation for vessels of all classes bound for the ports on the Long Island Sound and the Eastern States ; therefore

Resolved, That improvements be made on said river so as to enable vessels drawing a heavy draught of water to pass through at all tides.

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early improvement of said river, and make necessary appropriations requisite for the completion of such improvement.

Resolved, That a copy of these resolutions, properly signed, be sent to our representatives in Senate and Congress.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Bradley called from the table the resolution previously offered by him, in the words following :

Whereas, It has gone forth through the public prints, and has been made a subject of remonstrance in the municipal councils of this city, that the lessee or tenant of the premises known as Congress Hall, which premises are the property of the State, has been permitted, to the detriment of the work on the new capitol, to retain possession of them at an almost nominal rent, and even to omit the payment of the same; and,

Whereas, It is publicly asserted that such omission or non-payment has not only resulted in a loss of many thousands of dollars to the State, but is an unjust concession to the tenant of Congress Hall as against competing hotels, and that the occupation of the premises under such circumstances is in violation of the spirit and intention with which the property was presented to the State by the city of Albany ; therefore,

Resolved, That the Land Commissioners be requested to report to this Assembly, as early as possible, the facts and figures bearing on the case, with the reasons for such undue concessions and stated non-payment, and such other circumstances as may serve to indicate a remedy for the loss and grievances publicly alleged.

Mr. Lincoln moved to refer the same to the committee on grievances.

Mr. T. J. Campbell moved as an amendment that said resolution be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion of Mr. T. J. Campbell, and it was determined in the negative.

The question being on the motion of Mr. Lincoln,

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved to amend said resolution by striking out in the second paragraph of the preamble the words "but is an unjust concession to the tenant of Congress Hall as against competing hotels," and also the words "not only."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Prince moved to amend said resolution by inserting after the word "such" the word "alleged."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 42 }
{ NOES 68 }

Those who voted in the affirmative, were

Barkley	Fay	Law	Ransom
Beach	Gedney	Lincoln	Russell
Beardsley	Hammond	Mackin	Seward
Bowen	Hanrahan	McAfee	Smith
Brown	Hepburn	McGroarty	Stacy
Burtis	Hess	Oakley	Struble
Calkins	Hinckley	Page	W. F. Taylor
T. J. Campbell	Houghton	Peck	Vedder
Clark	Husted	Petty	Waehner
Comstock	Kirk	Prince	Yost
Dessar	Krack		

Those who voted in the negative, were

Alvord	Daly	W. A. Johnson	Schuyler
Benedict	Davis	Keenan	Scudder
Bennett	Decker	Kennaday	Sherman
Berry	Edson	Kshinka	Sherwood
Bishop	Ely	Lawson	Sheil
Bordwell	Faulkner	Lewis	Silverman
Bradley	Fream	Lillybridge	Slingerland
Braman	Friend	Merwin	Talmadge
Broas	Gallagher	W. Miller	Tewksbury
Brogan	Green	Muller	Tremain
T. C. Campbell	Griffin	O'Keefe	Vosburgh
Cleary	Hauschel	Pope	Wellington
Coffey	Hogan	Reilly	Wenzel
Cole	Holmes	Rich	Whitmore
Cooke	Hussey	Roscoe	Willis
Costigan	Ives	Schenck	Witbeck
Daggett	W. Johnson	Schieffelin	Wurts

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Waehner moved to postpone the consideration of the special order for this evening to one week from this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act in relation to the Board of Commissioners of Emigration," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 36 }

Those who voted in the affirmative, were

Alvord	Davis	Kennaday	Schenck
Barkley	Decker	Kirk	Schieffelin
Beach	Dessar	Krack	Schuyler
Beardsley	Edson	Kshinka	Seward
Benedict	Ely	Lawrence	Shattuck
Bennett	Faulkner	Lawson	Sherman
Berry	Friend	Lewis	Sheil
Bradley	Gallagher	Mackin	Silverman
Broas	Green	McGowan	Slingerland
Brogan	Griffin	McGroarty	Smith
Brown	Hammond	Merwin	Speaker
T. C. Campbell	Hanrahan	J. W. Miller	Stauf
T. J. Campbell	Hauschel	Muller	Tewksbury
Cleary	Hess	Oakley	Tremain
Coffey	Hogan	O'Keefe	Vosburgh
Cole	Holmes	Page	Waehner
Cooke	Ives	Petty	Wenzel
Costigan	W. Johnson	Rich	Witbeck
Daly	Keenan	Roscoe	Wurts

Those who voted in the negative, were

Badger	Daggett	Law	Sherwood
Barrow	Fay	Lillybridge	Struble
Bishop	Fream	Lincoln	W. F. Taylor
Bowen	Gedney	McAfee	Vedder
Braman	Hepburn	W. Miller	Wellington
Burtis	Hinckley	Peck	West
Calkins	Houghton	Pope	Whitmore
Clark	Hussey	Russell	Willis
Comstock	W. A. Johnson	Scudder	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the town of Richmond, in the county of Ontario, to raise money to build a town-house," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Schenck
Badger	Dessar	Krack	Schieffelin
Barkley	Edson	Kshinka	Schuyler

Barrow	Ely	Law	Scudder
Beach	Faulkner	Lawson	Seward
Beardsley	Fay	Lewis	Shattuck
Benedict	Fream	Lillybridge	Sherman
Berry	Friend	Lincoln	Sherwood
Bishop	Gallagher	Mackin	Sheil
Bordwell	Gedney	McAfee	Silverman
Broas	Griffin	McGowan	Slingerland
Brogan	Hanrahan	McGroarty	Smith
Brown	Hauschel	Merwin	Speaker
Burtis	Hepburn	W. Miller	Struble
T. C. Campbell	Hess	J. W. Miller	W. F. Taylor
T. J. Campbell	Hinckley	Oakley	Tewksbury
Clark	Hogan	O'Keefe	Tremain
Cleary	Holmes	Page	Vosburgh
Cole	Houghton	Peck	Wellington
Comstock	Hussey	Petty	Wenzel
Cooke	Husted	Prince	Whitmore
Costigan	Ives	Ransom	Willis
Daggett	W. Johnson	Rich	Witbeck
Daly	W. A. Johnson	Roscoe	Wurts
Davis	Keenan	Russell	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Sherman, at 1 o'clock and 50 minutes, the House adjourned.

THURSDAY, FEBRUARY 11, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Walsh.

The reading of the journal of yesterday was dispensed with.

By unanimous consent, Mr. T. C. Campbell introduced a bill entitled "An act to provide for the liquidation and payment of claims against the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Waehner moved to reconsider the vote agreeing to the adverse report of the committee on the judiciary on the bill entitled "An act to amend section 109 of article 8 of chapter 2, title 4 part 3 of the Revised Statutes in relation to the duties of justices of

the peace in actions commenced before them in which they are shown to be material witnesses," and that that motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the appointment of Lewis S. Meeker as messenger to the committee on ways and means in place of Eugene Jenkins, transferred to the committees on insurance and two-thirds and three-fifths bills in place of Fred Tibbitts, messenger of said last mentioned committees, displaced.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to repeal sections 6, 8, 9, 10, 11, 12, 13 and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868, also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said Marsh Land Company of moneys paid by them into the treasury of the State in pursuance of said chapter 864 of the Laws of 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the report of the joint committee of the Senate and Assembly on rules, with a message informing of concurrence in the passage of the same, with the following amendments:

Rule 12, line 1, strike out the figures "614" and insert "639."

Rule 13, line 9, after the word "document" insert the words "or publication of any kind."

Rule 15, after the words "two Houses," in Assembly amendment to the rule, insert the words "Adjutant-General and the Clerks of the two Houses."

Rule 16, line 1, strike out the word "Sergeant-at-Arms" and insert the words "superintendent of documents."

Rule 17, line 3, after the words "to the Senate," strike out "125" and insert "150."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative.

{ AYES 91 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawson	Scudder
Barkley	Faulkner	Lewis	Seward
Beach	Fream	Lillybridge	Sherman
Benedict	Friend	Lincoln	Sheil
Berry	Gallagher	Mackin	Silverman
Bishop	Green	McGowan	Slingerland
Bowen	Griffin	McGroarty	Smith
Bradley	Hauschel	Merwin	Speaker
Braman	Hepburn	W. Miller	Stacy
Broas	Hinckley	Muller	Struble
Brogan	Holmes	Oakley	G. Taylor
Calkins	Houghton	O'Keefe	W. F. Taylor

T. C. Campbell	Hussey	Page	Tewksbury
T. J. Campbell	Husted	Peck	Tremain
Clark	Ives	Petty	Vosburgh
Comstock	W. Johnson	Pierson	Wenzel
Cooke	W. A. Johnson	Rich	West
Costigan	Kennaday	Roscoe	Whitmore
Daggett	Kirk	Russell	Willis
Daly	Krack	Sanford	Witbeck
Decker	Kshinka	Schenck	Wurts
Dessar	Law	Schieffelin	Yost
Edson	Lawrence	Schuyler	

For the negative,

Sherwood

Ordered, That the Clerk return said report to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to enable the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo, to sell and convey certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Speaker announced the special order, being the consideration of the bills entitled as follows:

"An act for the incorporation of societies for the prevention of cruelty to children."

"An act relating to children."

The House then resolved itself into a committee of the whole on the above entitled bills.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Petty, from said committee, reported progress on said bills, and asked and obtained leave to sit again.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the town of Richmond, in the county of Ontario, to raise money to build a town-house."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker presented a communication from the State Engineer and Surveyor in response to a resolution of the Assembly, passed February 5, 1875, asking for information in relation to progress made during the year 1874 in the introduction of steam power on the canals of the State; which was laid on the table and ordered printed.

(See Doc. No. 62.)

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bills entitled as follows:

“An act in relation to county treasurers.”

“An act to amend an act entitled ‘An act to reorganize the local government of the city of New York,’ passed April 30, 1873.”

“An act to amend an act entitled ‘An act to provide for the incorporation of religious societies,’ passed April 5, 1813, and supplemental thereto.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. J. Campbell, from said committee, reported progress on said first mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Hammond moved to discharge the committee of the whole from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be engrossed and to a third reading.

Mr. T. J. Campbell from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. T. J. Campbell, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. J. W. Miller offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting him to return Assembly bill (not printed) entitled “An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the waterworks of said city, and to issue other bonds hereafter to pay water bonds heretofore issued,” for reconsideration and amendment.

By unanimous consent, said resolution was adopted.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. Hammond, at 2 o'clock and 20 minutes, the House adjourned.

FRIDAY, FEBRUARY 12, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Smart.

The journal of yesterday was read and approved.

The Senate returned the report of the joint committee on joint rules.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

“An act to amend an act entitled ‘An act to regulate the size of apple, pear and potato barrels,’ passed May 12, 1862,” which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

“An act to amend an act entitled ‘An act in relation to the deposit required to be made, and the taxes, fines, fees and other charges payable by insurance companies of sister States,’ passed May 11, 1865,”

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend section 6 of title 2, chapter 10 of part 3 of the Revised Statutes, concerning security for the payment of costs."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes," with a message informing that they had passed the same, with the following amendments:

Section 1, line 11, after the word "prayer," insert the words "or other religious observance."

Strike out section 3.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined, in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kirk	Schenck
Barkley	Dessar	Krack	Schieffelin
Barrow	Edson	Kshinka	Schuyler
Beach	Farrar	Lawrence	Scudder
Bishop	Faulkner	Lawson	Sherwood
Bordwell	Fay	Lewis	Sheil
Bowen	Fish	Lillybridge	Silverman
Bradley	Friend	Lincoln	Struble
Braman	Gallagher	Mackin	G. Taylor
Broas	Green	McGowan	W. F. Taylor
Brogan	Hammond	McGroarty	Tewksbury
Burtis	Hanrahan	Merwin	Vedder
T. C. Campbell	Hauschel	W. Miller	Vosburgh
T. J. Campbell	Hess	Oakley	Wellington
Christopher	Hinckley	O'Keefe	Wenzel
Clark	Hogan	Peck	West
Cole	Houghton	Petty	Whitmore
Comstock	Husted	Pierson	Witbeck
Costigan	W. Johnson	Ransom	Wurts
Daggett	W. A. Johnson	Russell	Yost
Daly	Kennaday	Sanford	

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Vosburgh introduced a bill entitled "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Sherwood introduced a bill entitled "An act for the protection and preservation of fish in Broome county," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Bowen introduced a bill entitled "An act to prohibit the traffic in alcoholic liquors as a beverage," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Ransom introduced a bill entitled "An act in relation to coroners' fees and post mortem examinations in Erie county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Broas introduced a bill entitled "An act to amend an act entitled 'An act to confer additional powers upon surrogates, and authorize an examination as to the effects of deceased persons,' passed April 27, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennaday introduced a bill entitled "An act to amend the Revised Statutes relating to the recording of conveyances of real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McGroarty introduced a bill entitled "An act to amend an act to provide for the increased facilities of the fire department of the town of New Lots, passed May 21, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Coffey introduced a bill entitled "An act to amend chapter 945 of the Laws of 1867, entitled 'An act to regulate the use of certain slips, piers and wharves on the East river, in the city of New York,' passed May 23, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill entitled "An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt Street and Erie Basin Railroad Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Faulkner introduced a bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Schenck introduced a bill entitled "An act to amend the charter of the village of Canajoharie, and to revise and consolidate the several acts relating thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Beach introduced a bill entitled "An act for the better protection of health in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Seward introduced a bill entitled "An act confirming the New York Elevated Railroad Company in its title to its franchise, and requiring it to comply with existing laws," which was read the first time,

and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Hauschel introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Muller introduced a bill entitled "An act to regulate the fees of public officers and others, and to conform the same to the federal or decimal currency," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waehner introduced a bill entitled "An act to amend an act entitled 'An act in relation to elections in the city and county of New York, and to provide for ascertaining by proper proofs the citizens who shall be entitled to the rights of suffrage thereat,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to create a State board of audit," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend section 67 of article 2, chapter 1, part 2, title 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stauf introduced a bill entitled "An act entitled 'An act for the better protection of purchasers of articles upon instalments,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lewis introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Rome,' passed February 23, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. W. Johnson introduced a bill entitled "An act to require the payment of certain premiums to the fire department of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Daggett introduced a bill entitled "An act to consolidate the two jury districts of the county of Oswego, N. Y., so far as relates to the drawing of grand and petit jurors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Page introduced a bill entitled "An act to provide for the appointment of a commission to investigate, consider and report upon the disposition to be made of the lateral canals," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Page, said bill was ordered printed and referred to the committee on canals.

Mr. Oakley introduced a bill entitled "An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate," which was read the first time, and by unanimous

consent was also read the second time, and referred to the committee on the petitions of aliens.

Mr. Petty introduced a bill entitled "An act providing for the election of bay constables in the towns of Brookhaven, Islip and Babylon, in the county of Suffolk, and to define their duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, the bill entitled "An act making appropriation for the improvement of the navigation of East Babylon river, one of the tributaries of the Great South bay, in the county of Suffolk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Schuyler introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Ithaca Mechanics' Society,' passed April 13, 1835," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wurtz introduced a bill entitled "An act to amend chapter 231 of the Laws of 1874, entitled 'An act for the protection and preservation of fish in that portion of the Wallkill river in the counties of Ulster and Orange,' passed April 21, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Beardsley introduced a bill entitled "An act relating to forfeited policies in life insurance companies, and the reserve valuation of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Griffin introduced a bill entitled "An act to amend an act entitled 'An act making appropriation for the improvement of the wagon road leading westerly from the Adirondack railroad depot, in the town of Hadley, Saratoga county, to Beecher's Hollow, in the town of Edinburgh, in said county, a distance of eighteen miles, being chapter 694 of the Laws of New York,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sheil introduced a bill entitled "An act to provide for the construction of railroads in cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hanrahan introduced a bill entitled "An act to authorize the Canal Commissioners to construct a bridge over the Erie canal at Maryland street in the city of Buffalo, and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the discharge of judgments against persons discharged under the bankrupt law," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was

referred the bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to evidence in certain suits in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act authorizing the discharge of judgments against bankrupts," reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to repeal all laws authorizing towns, villages and cities to issue bonds and subscribe for stocks in aid of railroads," reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to provide for the liquidation and payment of claims against the State of New York," reported, asking that they be discharged from the further present consideration of said bill, and that the same be printed and recommitted to said committee; which report was agreed to, and said bill so ordered.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to authorize the formation of corporations (commonly called boards of trade or exchanges), for the purpose of fostering trade and commerce, to protect it from unjust or unlawful exactions, to reform abuses in trade, to diffuse accurate and reliable information among its members as to the standing of merchants and other matters, to produce uniformity and certainty in the customs and usages of trade, to settle differences between its members and to promote a more enlarged and friendly intercourse between merchants," reported in favor of the passage of the same, with amendments; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," reported in favor of the passage of the same, with the title amended so as to read "An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866;" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cooke, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to county treasurers."

"An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1878."

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners for lands taken from Prospect park for reservoir purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Sherwood, said bill was referred to the first committee of the whole not full.

Mr. Daly moved that the committee on affairs of cities be discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to regulate places of public amusement in the city of New York,'" and that the same be referred to the committee on charitable and religious societies.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Daly, from the committee on affairs of cities, submitted the following report:

Your committee, to which were referred the resolutions relative to the depressed condition of labor in New York, beg leave to report that they had the same under consideration and find that the local authorities of that city possess, under the existing charter, full and ample powers in the premises, and that no additional legislation is necessary to enable that body to prosecute useful public works.

Ordered, That said resolutions be laid on the table.

Mr. Page, from the committee on canals, to which was referred the bill entitled "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the 1st day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on canals, to which was referred the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the 1st day of October, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Speaker presented a communication from his Excellency the Governor, transmitting joint resolutions of the General Assembly of the

State of Delaware, relating to recent occurrences in the State of Louisiana; which was laid on the table and ordered printed.

(See Doc. No. 68.)

Leave of absence was granted to Mr. Badger indefinitely.

Mr. Page, from the committee on canals, to which was referred the bill entitled "An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the Canal Appraisers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely, from the committee on roads and bridges, to which was referred the bill entitled "An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts 18 and 19 in the town of Ledyard, in the county of Cayuga, and to provide for the election of pathmaster in said district,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely, from the committee on roads and bridges, to which was referred the Senate bill entitled "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes in relation to the erection, repairing and preservation of bridges," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,'" reported in favor of the passage of the same, which report was agreed to.

By unanimous consent, on motion of Mr. W. F. Taylor, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 43 }
{ NOES 45 }

Those who voted in the affirmative, were

Barkley	Fish	Krack	Reilly
Barrow	Hanrahan	Kshinka	Rich
Bradley	Hauschel	Lillybridge	Shattuck
Braman	Hess	Lincoln	Silverman
Brogan	Hinckley	Mackin	Slingerland
T. J. Campbell	Hogan	McGroarty	Smith
Cleary	Houghton	Merwin	G. Taylor
Cole	Ives	J. W. Miller	W. F. Taylor
Cooke	W. Johnson	Oakley	Tremain
Costigan	Keenan	O'Keefe	Vedder
Fay	Kennaday	Ransom	

Those who voted in the negative were,

Alvord	Fream	Peck	Speaker
Berry	Gallagher	Pope	Stacy

Bishop	Griffin	Prince	Struble
Bordwell	Holmes	Roscoe	Tewksbury
T. C. Campbell	Hussey	Russell	Waehner
Christopher	Husted	Sanford	Wellington
Clark	Kirk	Schieffelin	Wenzel
Coffey	Lawson	Schuyler	Whitmore
Daggett	McGowan	Scudder	Willis
Daly	W. Miller	Seward	Wurts
Dessar	Page	Sheil	Yost
Edson			

Pending the call, Messrs. Dessar and Edson asked to be but were not excused from voting.

Mr. Waehner moved to reconsider the vote just taken on said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	Kennaday	Seward
Barkley	Daggett	Kirk	Sherman
Barrow	Daly	Krack	Sherwood
Beach	Dessar	Kshinka	Sheil
Beardsley	Edson	Lawson	Silverman
Benedict	Ely	Lewis	Slingerland
Bennett	Farrar	Lillybridge	Smith
Berry	Faulkner	Mackin	Speaker
Bishop	Fish	McAfee	Stacy
Bowen	Fream	Merwin	Stauf
Bradley	Gallagher	J. W. Miller	Struble
Braman	Gedney	W. Miller	W. F. Taylor
Broas	Griffin	Oakley	Tewksbury
Brogan	Hammond	O'Keefe	Tremain
Brown	Hanrahan	Page	Vedder
Burtis	Hauschel	Peck	Waehner
Calkins	Hepburn	Petty	Wellington
T. J. Campbell	Hess	Ransom	Wenzel
T. J. Campbell	Hinckley	Rich	Whitmore
Christopher	Hogan	Roscoe	Willis
Clark	Holmes	Russell	Witbeck
Cleary	Husted	Schieffelin	Wurts
Cole	Ives	Schuyler	Yost
Comstock	W. A. Johnson	Scudder	

On motion of Mr. Waehner, said bill was committed to the committee of the whole.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting him to return the Assembly bill (not printed) entitled "An act to authorize the city of Newburgh to borrow moneys

and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued," for reconsideration and amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Taylor, from the committee on public education, to which was referred the bill entitled "An act for the better suppression of vice and of obscene literature," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Taylor, from the committee on public education, to which was referred the bill entitled "An act to confirm the official acts of the trustees of the Delaware Literary Institute," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, on behalf of the committee on ways and means, introduced the bill entitled "An act in relation to the census or enumeration of the inhabitants of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to exempt from taxation the Gloversville and Northville Railroad Company," reported adversely thereto, which report was agreed to.

Mr. Waehner moved to take from the table the motion to reconsider the vote on agreeing to the adverse report of the committee on the bill entitled "An act to amend section 109 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative.

Mr. Waehner moved to recommit said bill to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Shattuck, from the committee on agriculture, to which was referred the bill entitled "An act for the prevention of disease among animals," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kshinka presented a petition of Patrick Masterson for relief, on account of injuries received while employed at the new capitol building; which was read and referred to the committee on ways and means.

Mr. Comstock presented a petition in regard to appointments of the board of health of the State of New York; which was read and referred to the committee on public health.

Mr. Stauf presented a petition from veteran soldiers relative to the homestead laws; which was read and referred to the committee on militia.

In pursuance of a concurrent resolution, the Governor returned the Assembly bill (not printed) entitled "An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of

improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued," for amendment.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Lawson	Soudder
Barkley	Daggett	Lillybridge	Seward
Barrow	Dessar	Lincoln	Sherwood
Beach	Edson	Mackin	Sheil
Beardsley	Ely	McAfee	Silverman
Benedict	Farrar	McGowan	Slingerland
Bennett	Faulkner	McGroarty	Smith
Berry	Fish	Merwin	Speaker
Bishop	Green	J. W. Miller	G. Taylor
Bordwell	Griffin	W. Miller	W. F. Taylor
Bowen	Hammond	Oakley	Tewksbury
Bradley	Hauschel	O'Keefe	Tremain
Braman	Hepburn	Peck	Vedder
Broas	Hinckley	Pierson	Vosburgh
Brogan	Holmes	Ransom	Waehner
Brown	Houghton	Reilly	Wellington
T. C. Campbell	Hussey	Rich	Wenzel
T. J. Campbell	Ives	Roscoe	Whitmore
Christopher	Kennaday	Russell	Willis
Clark	Kirk	Sanford	Witbeck
Cleary	Krack	Schenck	Wurts
Comstock	Kshinka	Schieffelin	Yost
Cooke	Lawrence	Schuyler	

On motion of Mr. J. W. Miller, said bill was amended as follows:

In the fourth section, line 10, after the word "semi-annually" insert the words "at a rate not exceeding seven per cent."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Lawrence	Schuyler
Barrow	Faulkner	Lawson	Soudder
Beach	Fish	Lewis	Sherman
Beardsley	Fream	Lillybridge	Sherwood
Benedict	Gallagher	Lincoln	Sheil

Bennett	Gedney	Mackin	Silverman
Bishop	Green	McGowan	Slingerland
Bordwell	Griffin	McGroarty	Smith
Bradley	Hammond	Merwin	Speaker
Braman	Hauschel	J. W. Miller	Stauf
Broas	Hepburn	O'Keefe	G. Taylor
Brown	Hess	Page	Tremain
T. C. Campbell	Hinckley	Peck	Wellington
T. J. Campbell	Holmes	Pierson	Wenzel
Christopher	Houghton	Ransom	West
Clark	Husted	Rich	Wetherbee
Coffey	W. A. Johnson	Roscoe	Whitmore
Cole	Kennaday	Russell	Willis
Comstock	Kirk	Sanford	Witbeck
Costigan	Kraack	Schenck	Wurts
Davis	Kshinka	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Faulkner presented the report of the Wadsworth Library Association; which was laid on the table and ordered printed.

Mr. Kennaday offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk of this House be directed to procure a copy of each of the following works for the use of the committee on general laws, the same to be afterward deposited in the library: Volume 8 of Edmond's Statutes at Large, General Statutes of Illinois (1 volume), General Statutes of California (2 volumes).

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Dessar, called from the table the resolution previously offered by him, in the words following:

Whereas, It has been repeatedly charged by the public press of this State, that the supply bill of last year was tampered with after the same had passed both houses, to wit: that the sum of \$10,000 for salary of the Superintendent of the New Capitol had been fraudulently and surreptitiously inserted therein subsequent to its passage in both houses; and,

Whereas, These grave accusations so publicly made, if permitted to pass unnoticed, lower the character of the preceding Legislature, and reflect dishonor upon some of its honored members; and,

Whereas, It is eminently proper that a thorough investigation be had, which may lead to an exposure of said alleged fraudulent acts and the parties therewith connected, so that the public may know upon whom to fasten the alleged crime; therefore, be it

Resolved, That a special committee of five members of this House be appointed by the Speaker to inquire into the irregularities alleged to have occurred in relation to the annual supply bill of last year, and especially to ascertain whether the appropriation of \$10,000 for the salary of the Superintendent of the New Capitol was inserted in said bill after the same had passed both houses, and whether the bill as approved by the Governor was identical with that reported by the conference committee and passed by this House, or any other matters appertaining to the subject, with power to send for persons and papers, and to report at any time.

Mr. Alvord moved to amend said resolution by striking out the words "a special committee of five members of this House be appointed by the Speaker to," and inserting in lieu thereof the words "the judiciary committee."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Lincoln offered for the consideration of the House a resolution, in the words following:

Resolved, That the superintendent of the capitol cause the signs used by the last Legislature, designating the Assembly districts, to be replaced in front of the desk of each member.

Mr. Hammond moved to amend said resolution by adding after the word "member" the words "without expense to the State."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Prince called from the table the concurrent resolution previously offered by him in the words following:

Whereas, By the United States homestead law of 1872 those entitled to its privileges are obliged to settle on the land selected by them within six months after such selection; and,

Whereas, By reason of this provision a large majority of soldiers, wishing to avail themselves of said law, are virtually deprived of all its benefits, including those who are at present pecuniarily unable to move west, those who have children too small to withstand the hardships of a new country, or of an age when such removal would deprive them of necessary educational facilities, those who are engaged in business which they cannot immediately leave without special loss, and those who, for other reasons, are not able to make so important a change for some time to come; the whole of whom, by reason of such delay in removal, would find all desirable and conveniently located land already taken up; therefore, in order to meet these numerous cases, and that those whose valor and sacrifices preserved to the nation all its territory may have the benefit of a small portion for actual settlement and the support of their families,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to favor with their influence and their votes the passage of an amendment to the homestead law extending the time for the actual occupation of land selected by soldiers to ten years from the time of such selection.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Sherwood offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of the Senate bill entitled "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," and that the same do now have its third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	W. A. Johnson	Schuyler
Barkley	Davis	Kennaday	Scudder
Beach	Edson	Krack	Shattuck
Beardsley	Ely	Kshinka	Sherman
Benedict	Farrar	Lawson	Sherwood
Bennett	Faulkner	Lewis	Silverman
Berry	Fish	Lincoln	Slingerland
Bishop	Fream	McAfee	Smith
Bordwell	Gallagher	McGowan	Speaker
Bowen	Gedney	McGroarty	Stacy
Bradley	Green	Merwin	Stauf
Braman	Griffin	J. W. Miller	G. Taylor
Broas	Hammond	W. Miller	W. F. Taylor
Brogan	Hanrahan	O'Keefe	Tewksbury
Burtis	Hauschel	Page	Vedder
T. C. Campbell	Hepburn	Petty	Vosburgh
T. J. Campbell	Hinckley	Pierson	Waehner
Christopher	Holmes	Pope	Wenzel
Clark	Houghton	Ransom	West
Cleary	Hussey	Roscoe	Whitmore
Coffey	Husted	Russell	Willis
Comstock	Ives	Schenck	Wurts
Costigan	W. Johnson	Schieffelin	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Oakley called from the table the resolution previously offered by him, in the words following:

Resolved (if the Senate concur), That a suitable testimonial of honor be provided under the direction of his Excellency Hon. Samuel J. Tilden, the honorable Lieutenant-Governor William Dorsheimer, and the Speaker of the Assembly, the design and plan of which shall be referred to and approved by the committee on military affairs, the same to be delivered to each soldier and sailor (or his representative in case of his death) as a testimonial of honor in grateful recognition of the services, sacrifices and sufferings in the late war for the suppression of the rebellion, and of the thankful recognition of the people of the State of New York therefor.

Mr. Alvord moved to amend said resolution by striking out the words "Hon. Samuel J. Tilden," and inserting in lieu thereof the words "his Excellency the Governor;" by striking out the word "Honorable" before the word "Lieutenant," and inserting in lieu thereof the words "his honor," and by striking out the words "Wm. Dorshiemer," and inserting before the word "Speaker" the words "the honorable the."

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Sherman moved to refer said resolution to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waehner moved that when this House adjourns it adjourn to meet on Monday evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to authorize the city of Rochester to issue bonds for the construction of a new school house," being announced for a third reading,

On motion of Mr. Alvord, and by unanimous consent, the same was amended by inserting in section 1, line 5, engrossed bill, after the word "for" the words "school district."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 99 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kirk	Schuyler
Beach	Daly	Krack	Souder
Beardsley	Edson	Kshinka	Seward
Benedict	Ely	Lawson	Shattuck
Bennett	Faulkner	Lewis	Sherman
Berry	Fish	Lincoln	Sherwood
Bishop	Fream	Mackin	Silverman
Bordwell	Gallagher	McAfee	Slingerland
Bowen	Gedney	McGowan	Smith
Bradley	Green	McGroarty	Speaker
Braman	Hammond	J. W. Miller	Stacy
Broas	Hanschel	W. Miller	Stauf
Brogan	Hepburn	Oakley	G. Taylor
Brown	Hess	O'Keefe	W. F. Taylor
Burtis	Hinckley	Page	Tewksbury
T. C. Campbell	Hogan	Petty	Tremain
T. J. Campbell	Holmes	Pierson	Vedder
Christopher	Houghton	Pope	Vosburgh
Clark	Hussey	Ransom	Waehner
Cleary	Husted	Reilly	Wenzel
Coffey	Ives	Rich	West
Cole	W. Johnson	Roscoe	Whitmore
Comstock	W. A. Johnson	Russell	Willis
Cooke	Keenan	Schenck	Wurts
Costigan	Kennaday	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, on motion of Mr. Oakley,

Whereas, By a resolution offered and adopted by this House on the 5th day of February inst., the committee on commerce and navigation was directed to investigate, inquire into and report at an early day the facts relative to the organization of the Albany and Greenbush Bridge Company, and the location and construction of a bridge by said company, and what legislation, if any, would be proper in the premises; therefore,

Resolved, That the Clerk of this House be and he is hereby authorized and empowered to employ a stenographer to take the testimony of such witnesses as may come and be produced before such committee to testify in relation thereto, at a per diem compensation equal to that paid to the stenographer of this House.

By unanimous consent, Mr. Smith introduced a bill entitled "An act for the protection of consumers of gas in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

On motion of Mr. Vosburgh, at 1 o'clock and 30 minutes, the House adjourned.

MONDAY, FEBRUARY 15, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Knauff.

The reading of the journal of Friday was dispensed with.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal, on Goodman street at the east boundary line of the city of Rochester,' passed June 5, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

"An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act authorizing and empowering the board of public works of the city of Rochester to construct a turn-table or swing-bridge over the Genesee Valley canal in West avenue, in the city of Rochester."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled as follows:

"An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows, as amended:

"An act to authorize the city of Newburgh to borrow moneys and issue bonds therefor in payment of improvements made in the water-works of said city, and to issue other bonds hereafter to pay water bonds heretofore issued."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows:

"An act in relation to the rights and liabilities of married women."

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution.

Resolved (if the Senate concur), That 2,000 extra copies of the fourth annual report of the trustees of the New York State Homœopathic Asylum for the Insane be printed, 1,000 copies for the use of the trustees, and 1,000 copies for the use of members of the Legislature.

Also, the following:

Resolved (if the Senate concur), That 1,000 extra copies, with covers, of the report of the Willard Asylum be printed for the use of the officers of the asylum.

Also, the following:

Resolved (if the Senate concur), That 2,000 extra copies of the annual report of the Commissioners of Fisheries of the State of New York be printed for the use of the Legislature and a similar number for said Commissioners.

Also, the following:

Resolved (if the Senate concur), That 1,000 copies of the report of the Adjutant-General be printed and bound for the use of the Adjutant-General's department.

Also the following:

Whereas, The commercial interests of the whole country, and especially of the city and State of New York, demand the early improvement of the East river from the southern end of Blackwell's Island to a point off Corlear's Hook, so as to afford a safe and convenient navigation for vessels of all classes bound for the ports on the Long Island Sound and the Eastern States; therefore

Resolved, That improvements be made on said river so as to enable vessels drawing a heavy draught of water to pass through at all tides.

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to use their influence for an early improvement of said river, and make necessary appropriations requisite for the completion of such improvement.

Resolved, That a copy of these resolutions, properly signed, be sent to our representatives in Senate and Congress.

A message from the Senate was received and read, informing of non-concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That 1,500 copies of the Annual Report of the Superintendent of Public Instruction and the Regents of the University on the New York State Normal School, at Albany, be printed for the use of said school.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That 1,000 copies of the Annual Report of the State Treasurer for the fiscal year 1874 be printed; 500 for the Legislature, and 500 copies for the use of the Treasurer.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following :

Resolved (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities and villages of the State ; said copies shall be distributed by the Secretary of State so that each supervisor and assessor aforesaid shall receive one copy of said report.

Resolved (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature, and 1,000 extra copies for the use of the State Assessors.

Ordered, That said resolutions be referred to the committee on public printing.

Also, the following :

Resolved (if the Assembly concur), That 3,000 copies of the Annual Report of the Board of Managers of the New York State Lunatic Asylum, at Utica, be printed ; 2,000 for the use of the Managers, and 1,000 for the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following :

Resolved (if the Assembly concur), That there be printed 2,500 copies of the Report of the Western House of Refuge for the use of the managers of that institution.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented a communication from the president of the department of public parks of the city of New York, in answer to a resolution of the House.

On motion of Mr. Alvord, said communication was laid on the table and ordered printed.

(See Doc. No. 68.)

Mr. T. C. Campbell introduced a bill entitled "An act to repeal chapter 645 of the Laws of 1873, passed May 29, 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to appropriate the sum of three hundred thousand dollars for the use and benefit of the board of Commissioners of Emigration," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, the bill entitled "An act to repeal chapter 475 of the Laws of 1871, and to re-enact section 13 of the act passed April 13, 1853, entitled 'An act to amend the several acts relating to the powers of Commissioners of Emigration and for the regulation of the Marine Hospital,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill entitled "An act to regulate the use of slips, wharves and piers in the city of New York," which was read the first time, and

by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, the bill entitled "An act to authorize the formation of corporations for the safe keeping and guaranteeing of personal property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Dessar introduced a bill entitled "An act concerning the Hahne-mann Hospital of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Hess introduced a bill entitled "An act in relation to armories and drill-rooms," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Sherman introduced a bill entitled "An act to establish police and fire departments in the city of Utica, and place the same under the direction of the mayor of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to unify the supervisory department of the educational system of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Alvord introduced a bill entitled "An act authorizing the canal board to settle for work done and expense incurred for doing work east of Military road, and from the east side of State ditch culvert, in Tonawanda, to the first change bridge west of said culvert on the Erie canal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Hammond introduced a bill entitled "An act in relation to the general terms of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Daggett introduced a bill entitled "An act to authorize the supervisors of the several towns in the county of Oswego to act as chairman of the board of assessors at their annual meeting to revise their assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Stephens introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Richmond Hotel Company of Staten Island,' passed May 5, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Sanford introduced a bill entitled "An act to authorize a tax to be levied upon the town of Potsdam to build a town house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Cole introduced a bill entitled "An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called, to the east line thereof," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on affairs of cities.

Mr. Vedder introduced a bill entitled "An act to extend the powers of overseers of the poor of towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to authorize the trustees of the village of Canandaigua to restrain and regulate the construction of wooden buildings and roofs in said village," reported in favor of the passage of the same; which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to legalize the acts of the board of trustees of the village of Charlotte," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to further amend an act entitled 'An act for the incorporation of villages,' passed April 13, 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Seward presented a petition of D. H. Loudon, of New York, relative to an exchange system of finance; which was read and referred to the committee on banks.

Mr. T. C. Campbell presented a memorial of the Commissioners of Emigration.

On motion of Mr. T. C. Campbell, said memorial was ordered printed and referred to the committee on commerce and navigation.

Mr. Comstock presented a petition for the enlargement of the west branch of Eighteen-mile creek, in Niagara county; which was read and referred to the committee on canals.

Also, a petition for the erection of bridges across the State ditch in the village of North Tonawanda, Niagara county; which was read and referred to the committee on canals.

The order of business, third reading of bills, being announced,

On motion of Mr. Sherman, and by unanimous consent, the same was laid on the table.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same."

"An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association,' passed April 6, 1857, and also to amend chapter 85 of the Laws of 1859, being an act amendatory thereto, passed March 31, 1859."

"An act in relation to the powers of boards of supervisors in the several counties of the State, in the election or appointment of railroad commissioners."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Dessar, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Dessar, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Sherman moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be referred to the committee on general laws, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Dessar, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the collection of taxes for highway purposes from railroad corporations."

"An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York, upon civil process."

"An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kirk, from said committee, reported in favor of the passage of said first and second mentioned bills, with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Kirk, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Hogan, the committee of the whole was discharged from the further consideration of said bill, and the same referred to the committee on public education, retaining its place on general orders.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston."

"An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and of the alteration thereof.'"

"An act to appoint a reporter of the decisions of the supreme court."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Clark, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Clark, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by striking out the word "of" last occurring in last line; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Clark, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Waehner, the committee of the whole was discharged from the further consideration of said bill, and the same recommitted to the committee on the judiciary.

On motion of Mr. J. W. Miller, the bill entitled "An act to amend chapter 426 of the Laws of 1874, entitled 'An act to provide for the care

of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith," was recommended to the committee on the judiciary.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York,' chapter 590, Laws of 1872, passed May 7, 1872."

"An act to release the interest of the people of the State of New York in certain real estate, lying under the water of Seneca lake, to Hobart College."

"An act to amend section 46 of an act to revise the charter of the city of Buffalo, passed April 28, 1870, relative to the jurisdiction of ward justices of the peace."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sheil, from said committee, reported in favor of the passage of said first and second mentioned bills, the second mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Sheil, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by inserting after the word "of," in the first line, the words "title 2 of an act entitled;" which report was agreed to, and said bill ordered engrossed and to a third reading.

On motion of Mr. Willis, at 9 o'clock, the House adjourned.

TUESDAY, FEBRUARY 16, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Bancroft, of Troy.

The reading of the journal of yesterday was dispensed with.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the Code of Procedure,'" with a message informing of concurrence in the passage of the same, with the following amendments:

Insert the following as section 1:

SECTION 1. Section one hundred and seventy-nine of the act entitled "An act to simplify and abridge the pleadings and proceedings of the courts of this State, known as the Code of Procedure," is hereby amended so as to read as follows:

§ 179. The defendant may be arrested, as hereinafter prescribed, in the following cases:

1. In an action for the recovery of damages, on a cause of action not arising out of contract, where the defendant is not a resident of the State, or is about to remove therefrom, or where the action is for an injury to person or character, or for injuring or for wrongfully taking, detaining or converting property.

2. In an action for a fine or penalty, or on a promise to marry, or for

money received, or property embezzled or fraudulently misapplied, by a public officer or by an attorney, solicitor or counselor, or by an officer or agent of a corporation or banking association, in the course of his employment as such, or by any factor, agent, broker or other person in a fiduciary capacity, or for any misconduct or neglect in office or in a professional employment.

3. In an action to recover the possession of personal property unjustly detained, where the property, or any part thereof, has been concealed, removed or disposed of, so that it cannot be found or taken by the sheriff, and with the intent that it should not be so found or taken or with the intent to deprive the plaintiff of the benefit thereof.

4. When the defendant has been guilty of a fraud, in contracting the debt or incurring the obligation for which the action is brought, or in concealing or disposing of the property for the taking, detention or conversion of which the action is brought, or when the action is brought to recover damages for fraud or deceit.

5. When the defendant has removed or disposed of his property, or is about to do so, with intent to defraud his creditors.

6. When the defendant has without right obtained, received, converted or disposed of any money, funds, credits or property held or owned by this State or held or owned, officially or otherwise, for or on behalf of any public or governmental interest by any municipal or other public corporation, board, officer, custodian, agency or agent of any city, county, town, village or other division, subdivision, department or portion of this State.

But no female shall be arrested, in any action, except for a willful injury to person, character or property.

Strike out in section 1, engrossed bill, all after the word "of," in line 2, down to and including the word "procedure," in line 5, and insert the words "said act."

Change sections 1, 2 and 3 of engrossed bill to 2, 3 and 4.

The amendments having been read,

Mr. Lincoln moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

This being the day assigned by the rules for the consideration of general orders,

On motion of Mr. Alvord, the committee of the whole was discharged from the further consideration of the bill entitled "An act relating to children," and the same recommitted to the committee on general laws.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to continue and extend the charter of the Dutchess County Mutual Insurance Company."

"An act to repeal chapter 327 of Session Laws of 1874, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Westchester.'"

Senate, "An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes, relative to the punishments for attempting to commit offenses."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Farrar, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Farrar, from said committee, also reported in favor of the passage

of said second mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Farrar, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Fream, the Senate bill entitled "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes, in relation to the erection, repairing and preservation of bridges," was substituted for the Assembly bill of the same title.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to extend the charter of the Richmond County Mutual Insurance Company, and to restrict its operations to the county of Richmond."

Senate, "An act to amend sections 122 and 123 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes, in relation to the erection, repairing and preservation of bridges."

"An act to amend the charter of the village of Dansville."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hauschel, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Hauschel, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Hauschel, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Speaker presented a communication from the State Engineer and Surveyor, in the words following:

OFFICE OF THE STATE ENGINEER AND SURVEYOR, }
ALBANY, *February* 16, 1875. }

HON. JEREMIAH MCGUIRE, *Speaker of the Assembly*:

Sir—I have the honor to transmit herewith the annual report of the State Engineer and Surveyor on companies navigating lakes and rivers, for the year 1874.

Respectfully yours,

S. H. SWEET,
State Engineer and Surveyor.

Ordered, That said report be laid on the table and printed.

(*See Doc. No. 73.*)

Mr. Prince presented the annual report of the Poppenhusen Institute; which was laid on the table and ordered printed.

(*See Doc. No. 70.*)

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to incorporate the Western Railroad Company."

"An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplemental thereto."

"An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. C. Campbell, from said committee, reported in favor of the passage of said first and third mentioned bills, the first mentioned with

amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. T. C. Campbell, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended so as to read, "An act supplementary to chapter 60, of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies;'" which report was agreed to, and said bill ordered engrossed and to a third reading.

On motion of Mr. W. F. Taylor, and by unanimous consent, the bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870," was ordered considered in the next committee of the whole.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the census or enumeration of the inhabitants of this State."

"An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church."

"An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brogan, from said committee, reported in favor of the passage of said bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education."

"An act for the better suppression of vice and of obscene literature."

"An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners, for land taken from Prospect park for reservoir purposes."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Struble, from said committee, reported in favor of the passage of said first and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Struble, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Lincoln moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would grant leave to said committee to sit again, and it was determined in the affirmative.

By unanimous consent, Mr. Prince introduced a bill entitled "An act to provide for the organization and regulation of certain business cor-

porations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Prince moved that said bill be printed, and that 500 extra copies be printed for the use of the members of the Assembly.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent, Mr. Husted introduced a bill entitled "An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Also, by unanimous consent, the bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, by unanimous consent, the bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on militia.

Mr. Husted moved that the same be printed and referred to the committee on militia.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent, Mr. Smith introduced a bill entitled "An act to authorize the construction of a quick transit road in the city of New York, and to provide means therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Mackin introduced a bill entitled "An act to incorporate the city of Matteawan," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, the bill entitled "An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of two new towns therefrom, one from the northern and one from the southern portion thereof, and for the apportionment of the personal property of said town and of the debts thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Alvord introduced a bill entitled "An act to amend an act entitled 'An act relative to disputed wills,' passed April 15, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cole introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Manhattan Loan and Trust Company of the city of New York,' passed June 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. Burtis introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Elevated

Silent Safety Railway for the purpose of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Oakley, at 2 o'clock and 10 minutes, the House adjourned.

WEDNESDAY, FEBRUARY 17, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Braman.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to provide more effectually for the punishment of speculation and other wrongs affecting public moneys and rights of property."

"An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution, in the words following:

Resolved (if the Assembly concur), That 2,000 copies of the report of the New York State Institution for the Blind be printed for the use of the trustees of said institution.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Speaker presented the annual report of the Superintendent of the Insurance Department; which was laid on the table and ordered printed.

(See Doc. No. 44.)

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to prohibit fishing near any fishway established by the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend the charter of the Ithaca Mechanics' Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to the reduction of the capital stock of banks, banking associations, individual bankers, and other moneyed corporations, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The privileges of the floor were extended to Hon. Messrs. Goss, Nachtman, Musereau, Fuller, Travers, John M. Francis and James Odell.

Leave of absence was granted to Messrs. T. J. Campbell, Holmes, Scudder and West indefinitely.

The Senate returned the bill entitled "An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding hose carriage house in said city," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 1, strike out all after section 1 down to and including the word "three" in line 7; change the word "the" to "The;" strike out the word "said" and insert the word "the" in line 8.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Roscoe
Beach	Ely	Krack	Russell
Bennett	Farrar	Kshinka	Sanford
Berry	Fay	Law	Schenck
Bordwell	Fish	Lawrence	Schieffelin
Bowen	Fream	Lawson	Schuyler
Bradley	Friend	Lewis	Seward
Braman	Gallagher	Lillybridge	Shattuck
Broas	Gedney	Lincoln	Sherman
Brogan	Green	Mackin	Sherwood
Brown	Griffin	McGowan	Silverman
Calkins	Hammond	McGroarty	Smith
T. C. Campbell	Hanrahan	J. W. Miller	Speaker
Christopher	Hauschel	Muller	Talmadge
Clark	Hepburn	O'Keefe	G. Taylor

Cleary	Hinckley	Page	W. F. Taylor
Coffey	Hogan	Petty	Tewksbury
Cole	Hussey	Pierson	Wenzel
Comstock	Ives	Pope	Whitmore
Cooke	W. A. Johnson	Prince	Willis
Daggett	Keenan	Ransom	Wurts
Daly	Kennaday	Rich	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act supplementary to an act passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester,'" with a message informing of concurrence in the passage of the same, with the following amendments:

Strike out the first three lines of section 1, engrossed bill, and insert as follows:

"SECTION 1. Section 23 of an act passed May 20, 1872, entitled 'An act to amend the several acts in relation to the city of Rochester,' is hereby amended so as to read as follows."

Line 4, alter the word "in" to "In."

The amendments having been read,

Mr. Lincoln moved to refer said bill to the committee on general laws.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to provide payment for the services of certain officers and employees of the Assembly," with a message informing of concurrence in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert as follows:

"SECTION 1. The claims of the officers and employees of the Assembly of eighteen hundred and seventy-four who have served in the Assembly of eighteen hundred and seventy-five from its organization until the appointment of their successors, for services and mileage, and of the officers of the Assembly of eighteen hundred and seventy-four for services rendered pursuant to resolutions of the same, after the adjournment thereof, shall be audited by the Speaker of the Assembly, and such sum as shall be found due and allowed by him to each of said officers for such services, and mileage (but in no case to exceed the rate such officers were respectively entitled to receive for like services and mileage during the session of 1874), shall be paid by the Comptroller upon the certificate of the said Speaker of the amount so found due and allowed by him to each of said officers respectively. In no case shall any person receive double compensation for any services rendered this Legislature.

"§ 2. The sum of \$3,500, or so much thereof as may be necessary, is hereby appropriated out of any funds in the treasury not otherwise appropriated for the purpose of carrying out the provisions of the preceding section.

"§ 3. This act shall take effect immediately."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Faulkner	Krack	Schuyler
Berry	Fay	Kshinka	Schieffelin
Bishop	Fish	Lawrence	Seward
Bordwell	Fream	Lillybridge	Shattuck
Bowen	Friend	Lincoln	Sherman
Bradley	Gallagher	Maackin	Sheil
Braman	Gedney	McGowan	Silverman
Broas	Green	McGroarty	Slingerland
Brogan	Griffin	J. W. Miller	Smith
Brown	Hammond	W. Miller	Stacy
Calkins	Hanrahan	Muller	Stauf
T. C. Campbell	Hauschel	O'Keefe	Talmadge
Clark	Hepburn	Page	G. Taylor
Cleary	Hess	Petty	W. F. Taylor
Coffey	Hinckley	Pierson	Vosburgh
Cole	Hogan	Pope	Waehner
Comstock	Houghton	Ransom	Wenzel
Cooke	Husted	Rich	Whitmore
Daggett	Ives	Roscoe	Willis
Decker	W. Johnson	Russell	Wurts
Dessar	Kennaday	Sanford	Yost
Farrar	Kirk		

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

Mr. Brogan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the powers of boards of supervisors in the several counties of the State, in the election or appointment of railroad commissioners."

"An act to provide for the collection of taxes for highway purposes from railroad corporations."

"An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process."

"An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.'"

"An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York,' chapter 590, Laws of 1872, passed May 7, 1872."

"An act to release the interest of the people of the State of New York in certain real estate lying under the water of Seneca lake to Hobart College."

"An act to amend section 46 of title 10 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace."

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

Mr. Hammond moved to take from the table the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the

Code of Procedure," returned from the Senate amended, together with the amendments thereto.

On motion of Mr. Alvord, said motion was laid on the table until to-morrow morning.

The Senate bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Kirk	Russell
Beach	Fish	Krack	Sanford
Benedict	Fream	Kshinka	Schenck
Bishop	Friend	Law	Schieffelin
Bordwell	Gallagher	Lawrence	Schuyler
Bowen	Gedney	Lawson	Seward
Braman	Green	Lincoln	Sherman
Broas	Griffin	Mackin	Sherwood
Brogan	Hammond	McGowan	Silverman
Brown	Hanrahan	J. W. Miller	Smith
Burtis	Hauschel	W. Miller	Speaker
Calkins	Hepburn	Muller	Stauf
T. C. Campbell	Hess	O'Keefe	Struble
Clark	Hinckley	Page	Tewksbury
Coffey	Hogan	Petty	Vosburgh
Comstock	Houghton	Pierson	Wenzel
Costigan	Hussey	Pope	Whitmore
Daggett	Ives	Prince	Willis
Decker	W. A. Johnson	Ransom	Witbeck
Edson	Keenan	Rich	Wurts
Farrar	Kennaday	Roscoe	Yost
Faulkner			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Daly	W. A. Johnson	Rich
Barkley	Decker	Kennaday	Roscoe

Beach	Dessar	Kirk	Schenck
Benedict	Edson	Krack	Schieffelin
Bennett	Ely	Kshinka	Schuyler
Berry	Faulkner	Lawson	Shattuck
Bishop	Fream	Lewis	Sherman
Bordwell	Friend	Lillybridge	Sheil
Bradley	Gallagher	Lincoln	Smith
Braman	Gedney	Mackin	Speaker
Broas	Green	McGowan	Stauf
Brogan	Griffin	McGroarty	Struble
Calkins	Hammond	J. W. Miller	Talmage
T. C. Campbell	Hanrahan	Muller	Vosburgh
Christopher	Hauschel	Oakley	Waehner
Clark	Hess	O'Keefe	Wellington
Cleary	Hinckley	Page	Wenzel
Coffey	Hogan	Petty	Whitmore
Comstock	Houghton	Pierson	Willis
Cooke	Hussey	Ransom	Witbeck
Costigan	Ives	Reilly	Wurts
Daggett	W. Johnson		

Those who voted in the negative, were

Hepburn	Prince	Sanford	Tewksbury
Pope	Russell	Seward	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to county treasurers," being announced for a third reading,

Mr. Lincoln moved to recommit said bill, with instructions to make the following amendments:

Add as section 12 the words, "§ 12. Nothing in this act contained shall be construed as relating to or in any manner affecting county treasurers now in office,"

Mr. Burtis moved as an amendment to the amendment the following:

Insert in section 1, line 6, after the word "respectively" the following: "which bank, banks or banking institutions shall be required to pay such a rate of interest per annum on the balances of money so deposited as shall be agreed upon by and with the board of supervisors, and shall credit every six months the accrued interest to the account to which it may properly belong."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Burtis, and it was determined in the affirmative.

The question being on the motion of Mr. Lincoln,

Debate was had thereon, when

Mr. Kennaday moved to amend as follows:

Strike out the words "not exceeding five thousand dollars," in section 6, line 3, and that said bill retain its place on the order of third reading of bills.

Debate ensued thereon, when

Mr. Speaker put the question whether the House would agree to said motion of Mr. Kennaday, and it was determined in the negative.

Mr. Kennaday moved to amend as follows:

Insert in section 6, line 3, after the words "five thousand dollars,"

the words "except that in the county of Kings such salary shall not be limited to said sum of five thousand dollars."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Kennaday, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Lincoln, and it was determined in the affirmative.

{ AYES 73 }
{ NOES 40 }

Those who voted in the affirmative, were

Barkley	Fay	Law	Sherwood
Benedict	Fish	Lawrence	Silverman
Bennett	Fream	Lawson	Slingerland
Berry	Gallagher	Lewis	Smith
Bishop	Gedney	Lillybridge	Stacy
Bordwell	Green	Lincoln	Stauf
Bowen	Griffin	McGroarty	Struble
Bradley	Hanrahan	W. Miller	Talmadge
Braman	Hepburn	Oakley	W. F. Taylor
Brown	Hess	O'Keefe	Tewksbury
Burtis	Hinckley	Petty	Vedder
Calkins	Houghton	Pope	Wellington
Clark	Hussey	Ransom	Wenzel
Coffey	Husted	Reilly	Wetherbee
Comstock	W. A. Johnson	Russell	Whitmore
Daggett	Keenan	Sanford	Willis
Decker	Kennaday	Schenck	Wurts
Farrar	Krack	Seward	Yost
Faulkner			

Those who voted in the negative, were

Alvord	Daly	W. Johnson	Roscoe
Beach	Davis	Kirk	Schieffelin
Broas	Dessar	Kshinka	Schuyler
Brogan	Edson	McGowan	Shattuck
T. C. Campbell	Ely	J. W. Miller	Sherman
Christopher	Friend	Muller	Sheil
Cleary	Hammond	Page	Speaker
Cole	Hauschel	Pierson	G. Taylor
Cooke	Hogan	Prince	Vosburgh
Costigan	Ives	Rich	Waehner

Mr. Lincoln moved that the committee report back said bill forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 43 }
{ NOES 71 }

Those who voted in the affirmative, were

Bishop	Gallagher	Lawson	Slingerland
Bordwell	Gedney	Lillybridge	Stacy
Bowen	Green	Lincoln	W. F. Taylor

Braman	Hepburn	W. Miller	Tewksbury
Burtis	Hess	Petty	Vedder
Calkins	Hinckley	Pope	Wellington
Clark	Houghton	Prince	Whitmore
Comstock	Hussey	Russell	Willis
Daggett	Husted	Sanford	Wurts
Farrar	W. A. Johnson	Seward	Yost
Fay	Law	Sherwood	

Those who voted in the negative, were

Alvord	Davis	Kirk	Schenck
Barkley	Decker	Krack	Schieffelin
Beach	Dessar	Kshinka	Schuyler
Benedict	Edson	Lawrence	Shattuck
Bennett	Ely	Lewis	Sherman
Berry	Faulkner	Mackin	Sheil
Bradley	Fish	McGowan	Silverman
Broas	Fream	McGroarty	Smith
Brogan	Friend	J. W. Miller	Speaker
Brown	Griffin	Muller	Stauf
T. C. Campbell	Hammond	Oakley	Stephens
Christopher	Hanrahan	O'Keefe	Talmadge
Cleary	Hauschel	Page	G. Taylor
Coffey	Hogan	Pierson	Vosburgh
Cole	Ives	Ransom	Waehner
Cooke	W. Johnson	Reilly	Wenzel
Costigan	Keenan	Rich	Wetherbee
Daly	Kennaday	Roscoe	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the powers of boards of supervisors in the several counties of the State, in the election or appointment of railroad commissioners," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Sherman
Beach	Edson	Kirk	Sherwood
Benedict	Ely	Kshinka	Sheil
Bennett	Farrar	Lawson	Silverman
Bishop	Faulkner	Lillybridge	Slingerland
Bordwell	Fay	Lincoln	Speaker
Bowen	Fish	J. W. Miller	Stacy
Bradley	Friend	Muller	Stauf
Braman	Gallagher	Oakley	Struble
Broas	Gedney	O'Keefe	Talmadge
Brogan	Green	Page	W. F. Taylor
Brown	Griffin	Pierson	Vedder

T. C. Campbell	Hammond	Pope	Vosburgh
Christopher	Hauschel	Prince	Wellington
Clark	Hepburn	Ransom	Wenzel
Cole	Hinckley	Rich	Wetherbee
Comstock	Hogan	Roscoe	Whitmore
Cooke	Houghton	Russell	Willis
Costigan	Husted	Sanford	Wurts
Daggett	Ives	Schenck	Yost
Daly	Keenan	Seward	

For the negative,

W. Johnson

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," being announced for a third reading,

Mr. Davis offered for the consideration of the House a resolution, in the words following:

Resolved, That said bill be recommitted to the committee on affairs of cities, with instructions to report in lieu thereof a bill appointing Charles O'Connor, Horatio Seymour, Edwin D. Morgan, Wm. Evarts, Francis Kernan, John Kelly, Henry C. Murphy and Henry R. Selden commissioners to prepare and report to the Legislature, on or before the 10th day of April next, a bill securing to the several municipalities in the State the right of local self-government, providing for the responsibility of municipal officers by a system of removal for cause and by amenability in the courts to actions to be brought at the instance of a tax-payer for any malfeasance in office.

Debate was had thereon, when

Mr. Daly moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

{ AYES 50 }
{ NOES 66 }

Those who voted in the affirmative, were

Beach	Dessar	Mackin	Schuyler
Benedict	Edson	McGowan	Sherman
Bennett	Ely	McGroarty	Silverman
Berry	Faulkner	J. W. Miller	Smith
Bradley	Friend	Muller	Speaker
Brogan	Hammond	Oakley	Stauf
T. C. Campbell	Hauschel	O'Keefe	Stephens
Christopher	Hogan	Page	Talmage
Cleary	W. Johnson	Pierson	G. Taylor
Coffey	Keenan	Reilly	Vosburgh
Cole	Kennaday	Rich	Waehner
Costigan	Kirk	Schenck	Witbeck
Daly	Kshinka		

Those who voted in the negative, were

Alvord	Fay	Law	Shattuck
Barkley	Fish	Lawrence	Sherwood

Bishop	Fream	Lawson	Sheil
Bordwell	Gallagher	Lewis	Slingerland
Bowen	Gedney	Lillybridge	Stacy
Braman	Green	Lincoln	Struble
Broas	Griffin	W. Miller	W. F. Taylor
Brown	Hanrahan	Petty	Tewksbury
Burtis	Hepburn	Pope	Vedder
Calkins	Hess	Prince	Wellington
Clark	Hinckley	Ransom	Wenzel
Comstock	Houghton	Roscoe	Wetherbee
Cooke	Hussey	Russell	Whitmore
Daggett	Husted	Sanford	Willis
Davis	Ives	Schieffelin	Wurts
Decker	W. A. Johnson	Seward	Yost
Farrar	Krack		

The question being upon the adoption of the resolution of Mr. Davis,

Debate was had thereon, when, pending the question,

Mr. Hammond moved that the House take a recess until 7½ P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 62 }
{ NOES 54 }

Those who voted in the affirmative, were

Barkley	Edson	Mackin	Schuyler
Beach	Ely	McGowan	Sherman
Benedict	Faulkner	McGroarty	Sheil
Bennett	Fish	J. W. Miller	Silverman
Berry	Hammond	Muller	Smith
Bradley	Hanrahan	Oakley	Speaker
Brogan	Hauschel	O'Keefe	Stauf
Brown	Hogan	Page	Stephens
T. C. Campbell	Ives	Pierson	Talmadge
Christopher	W. Johnson	Ransom	G. Taylor
Cleary	Keenan	Reilly	Vosburgh
Coffey	Kennaday	Rich	Waehner
Cole	Kirk	Roscoe	Wenzel
Costigan	Krack	Schenck	Witbeck
Daly	Kshinka	Schieffelin	Wurts
Dessar	Lewis		

Those who voted in the negative, were

Alvord	Decker	Husted	Seward
Barrow	Farrar	W. A. Johnson	Shattuck
Bishop	Fay	Law	Sherwood
Bordwell	Fream	Lawrence	Slingerland
Bowen	Friend	Lawson	Stacy
Braman	Gallagher	Lillybridge	Struble
Broas	Gedney	Lincoln	W. F. Taylor
Burtis	Green	W. Miller	Tewksbury
Calkins	Griffin	Petty	Vedder
Clark	Hepburn	Pope	Wellington

Comstock
Cooke
Daggett
Davis

Hess
Hinckley
Houghton
Hussey

Prince
Russell
Sanford

Whitmore
Willis
Yost

Thereupon the House took a recess until 7½ o'clock.

HALF-PAST SEVEN O'CLOCK.

The House again met.

Mr. Speaker announced the special order, being the consideration of the annual message of his Excellency the Governor.

Mr. Davis rose to a point of order, and stated that at the time of recess a question was pending upon the third reading of a bill and the House acting upon that order of business, viz.: third reading of bills, therefore the House must proceed to the consideration of the pending question, notwithstanding the special order.

Mr. Speaker declared the point of order not well taken.

Mr. Davis appealed from the decision of the chair.

Mr. Speaker put the question "Shall the decision of the chair stand as the judgment of the House?" and it was determined in the affirmative.

{ AYES 65 }
{ NOES 29 }

Those who voted in the affirmative, were

Alvord
Barkley
Beach
Beach
Benedict
Bennett
Berry
Bradley
Broas
Brogan
T. C. Campbell
Christopher
Cleary
Coffey
Cole
Cooke
Costigan

Daly
Edson
Faulkner
Fay
Fish
Friend
Griffin
Hammond
Hanrahan
Hauschel
Hogan
Ives
W. Johnson
Keenan
Kennaday
Kirk

Krack
Kshinka
Lewis
Mackin
McGowan
McGroarty
J. W. Miller
Muller
Oakley
O'Keefe
Page
Pierson
Ransom
Reilly
Rich
Roscoe

Schenck
Schieffelin
Schuyler
Sherman
Sheil
Silverman
Smith
Stauf
Stephens
Talmadge
G. Taylor
Vosburgh
Waehner
Wenzel
Witbeck
Worth

Those who voted in the negative, were

Bordwell
Bowen
Braman
Burtis
Calkins
Clark
Comstock
Davis

Fream
Gallagher
Gedney
Green
Hepburn
Hess
W. A. Johnson

Lillybridge
Lincoln
W. Miller
Peck
Russell
Sanford
Seward

Shattuck
Sherwood
Slingerland
Stacy
W. F. Taylor
Vedder
Willis

Pending the call, Mr. Husted asked to be and was excused from voting.

Mr. Davis moved to postpone the further consideration of the Governor's message until one week from this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House then resolved itself into a committee of the whole on the annual message of the Governor, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cleary, from said committee, reported progress on the same, and asked and obtained leave to sit again.

The Senate returned the bill entitled as follows:

"An act to provide payment for the services of certain officers and employees of the Assembly."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Oakley moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Thereupon, at 7 o'clock and 55 minutes, the House adjourned.

THURSDAY, FEBRUARY 18, 1875.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the common council of the city of Rochester to submit certain questions to the people at the next charter election."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to permit the Albany and Sandlake Plank-road Company to borrow money and make alterations and improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on road and bridges.

On motion of Mr. Oakley, and by unanimous consent,

Resolved (if the Senate concur), That when this Legislature adjourns on Friday, the 19th instant, it do so to meet on Wednesday morning, the 24th inst., at 11 o'clock A. M.

The Clerk appointed James H. Murphy Clerk's messenger, in place of John Hickey removed, such appointment to take effect as of February 6, 1875.

The Senate returned the Senate bill entitled "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," with a message informing of non-concurrence in the amend-

ments made by the Assembly thereto, and that they had appointed a committee of conference thereon, consisting of Messrs. Wellman, Robertson and Jacobs, and request a like committee on the part of the Assembly.

Mr. Sherwood moved that the request of the Senate be granted, and that a committee of conference be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Sherwood, Sherman, Faulkner, Wurtz and Krack.

By unanimous consent, Mr. Davis introduced a bill entitled "An act in relation to the canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Hepburn introduced a bill entitled "An act to unify the supervisory department of the educational system of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

On motion of Mr. Hepburn, said bill was ordered printed.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to repeal chapter 327 of Session Laws of 1874, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Westchester.'"

"An act to amend the charter of the village of Dansville."

"An act to incorporate the Western Railroad Company."

"An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies.'"

"An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law."

"An act in relation to the census or enumeration of the inhabitants of this State."

"An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church."

"An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870."

"An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education."

"An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners, for lands taken from Prospect park for reservoir purposes."

By unanimous consent, Mr. Clark introduced a bill entitled "An act providing for the appointment of additional notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Talmage introduced a bill entitled "An act to amend an act passed May 8, 1874, entitled 'An act relating to certain assessment proceedings in the city of Brooklyn, and providing for the payment of work done thereunder,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Faulkner introduced a bill entitled "An

act to release the interest of the people of the State of New York in certain real estate in the town of Avon to Margaret Curran," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the petitions of aliens.

By unanimous consent, Mr. Hanrahan introduced a bill entitled "An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving and embellishing the public park in said city and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, the bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo,' passed April 27, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Hauschel introduced a bill entitled "An act to repeal chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,' passed May 29, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cleary introduced a bill entitled "An act to authorize the selection and location of grounds for a public park for the city of Troy, and to provide for the embellishment and maintenance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Prince introduced a bill entitled "An act to amend an act entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,' passed February 15, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, the bill entitled "An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the town of Flushing, Queens county, and supplementary thereto,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Christopher introduced a bill entitled "An act to authorize the election of town auditors in the several towns of this State which choose to have elected town auditors, and to prescribe their powers and duties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Lawson introduced a bill entitled "An act authorizing the city of Buffalo to take certain lands for a public park, and to provide for the payment thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Friend introduced a bill entitled "An act authorizing the election of a police justice in the village of Goshen,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, presented a petition on the same subject ; which was read and referred to the same committee.

By unanimous consent, Mr. Muller introduced a bill entitled "An act to amend an act entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. McGroarty introduced a bill entitled "An act to repeal an act entitled 'An act to create a metropolitan sanitary district and board of health therein, for the preservation of life and health, and to prevent the spread of disease,' passed February 26, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, by unanimous consent, the bill entitled "An act to exempt the towns of Kings county from the provisions of an act entitled 'An act to create a board of excise in the several towns of this State,' passed May 7, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. T. J. Campbell introduced a bill entitled "An act to amend the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Schenck introduced a bill entitled "An act to provide for giving increased capacity to bridge across Erie canal at Fultonville," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, presented a petition on the same subject ; which was read and referred to the same committee.

By unanimous consent, Mr. Oakley introduced a bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the town of Jamaica, Queens county,' passed March 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Husted introduced a bill entitled "An act to authorize the board of supervisors of the county of Westchester to build an insane asylum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, by unanimous consent, a bill entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Gallagher introduced a bill entitled "An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,' passed April

14, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Stephens introduced a bill entitled "An act to authorize the Sea View Park Association of New Dorp, Richmond county, to mortgage their real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Houghton introduced a bill entitled "An act to amend an act entitled 'An act to authorize the construction of sewers in the village and town of Saratoga Springs,' passed April 21, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, by unanimous consent, the bill entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Wellington introduced a bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Kshinka introduced a bill entitled "An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' passed April 7, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent, Mr. J. W. Miller introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 22, 1865, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, a bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act to provide for the establishment of free schools in the village of Newburgh,' passed April 6, 1852, passed March 7, 1865, passed April 6, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent, Mr. Hinckley introduced a bill entitled "An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Burtis introduced a bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent, Mr. Fay introduced a bill entitled "An act to

amend chapter 490 of the Laws of 1874, entitled 'An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamilton, appropriating certain non-resident highway moneys thereto, and repealing acts heretofore passed in relation thereto, passed May 14, 1873,' passed May 20, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Law introduced a bill entitled "An act to incorporate the United Presbyterian Synod of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Stacy introduced a bill entitled "An act to prevent the killing of mink during a certain part of the year," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Cleary presented a remonstrance of thirty-five citizens of Greenbush, Rensselaer county, against any amendments to the Albany and Greenbush Bridge charter; which was read and referred to the committee on commerce and navigation.

By unanimous consent, Messrs. W. F. Taylor, Witbeck and Kshinka presented petitions upon the same subject; which were read and referred to the committee on commerce and navigation.

Mr. Speaker announced the question pending when the House took a recess yesterday to be upon the adoption of the resolution offered by Mr. Davis to recommit to the committee on affairs of cities the bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," with certain instructions.

Debate was had thereon, when

Mr. Davis moved to amend said resolution by inserting the name of Abram S. Hewitt as one of said commission, and by changing the time when such commission shall report from the "14th day of April" to the "15th day of March."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate again ensued, when

Mr. Waehner moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the negative.

} AYES 61 }
 } NOES 63 }

Those who voted in the affirmative, were

Alvord	Decker	Lawrence	Shattuck
Badger	Farrar	Lawson	Sherwood
Barkley	Fay	Lillybridge	Slingerland
Beardsley	Fream	Lincoln	Stacy
Bishop	Gallagher	McAfee	Struble
Bordwell	Gedney	W. Miller	W. F. Taylor
Bowen	Green	Peck	Tewksbury
Braman	Hepburn	Petty	Freeman

Broas	Hess	Pope	Vedder
Burtis	Hinckley	Prince	Wellington
Calkins	Houghton	Ransom	Wetherbee
Clark	Hussey	Roscoe	Whitmore
Comstock	Husted	Russell	Willis
Cooke	W. A. Johnson	Sanford	Worth
Daggett	Law	Seward	Yost
Davis			

Those who voted in the negative, were

Beach	Edson	Kshinka	Schuyler
Benedict	Ely	Lewis	Sherman
Bennett	Faulkner	Mackin	Sheil
Berry	Fish	McGowan	Silverman
Bradley	Friend	McGroarty	Smith
Brogan	Griffin	Merwin	Speaker
Brown	Hammond	J. W. Milier	Stauf
T. C. Campbell	Hanrahan	Muller	Stephens
T. J. Campbell	Hauschel	Oakley	Talmadge
Christopher	Hogan	O'Keefe	G. Taylor
Cleary	Ives	Page	Vosburgh
Coffey	W. Johnson	Pierson	Waehner
Cole	Keenan	Reilly	Wenzel
Costigan	Kennaday	Rich	Witbeck
Daly	Kirk	Schenck	Wurts
Dessar	Krack	Schieffelin	

Mr. Davis moved to recommit said bill to the committee on affairs of cities, with instructions to make certain amendments.

Mr. T. J. Campbell raised the point of order that the House being under the operation of the previous question, such motion cannot be entertained.

Mr. Speaker decided the point of order well taken.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 65 }
{ NOES 58 }

Those who voted in the affirmative, were

Beach	Dessar	Krack	Schieffelin
Beardsley	Edson	Kshinka	Schuyler
Benedict	Ely	Lewis	Sherman
Bennett	Faulkner	Mackin	Sheil
Berry	Fish	McGowan	Silverman
Bradley	Friend	McGroarty	Smith
Brogan	Griffin	Merwin	Speaker
Brown	Hammond	J. W. Miller	Stauf
T. C. Campbell	Hanrahan	Muller	Stephens
T. J. Campbell	Hauschel	Oakley	Talmadge
Christopher	Hogan	O'Keefe	G. Taylor

Cleary
Coffey
Cole
Cooke
Costigan
Daly

Ives
W. Johnson
Keenan
Kennaday
Kirk

Page
Pierson
Reilly
Rich
Schenck

Vosburgh
Waehner
Wenzel
Witbeck
Wurts

Those who voted in the negative, were

Alvord
Badger
Barkley
Bishop
Bordwell
Bowen
Braman
Broas
Burtis
Calkins
Clark
Comstock
Daggett
Davis
Decker

Farrar
Fay
Fream
Gallagher
Gedney
Green
Hepburn
Hess
Hinckley
Houghton
Hussey
Husted
W. A. Johnson
Law
Lawrence

Lawson
Lillybridge
Lincoln
McAfee
W. Miller
Peck
Petty
Pope
Prince
Roscoe
Russell
Sanford
Seward
Shattuck

Sherwood
Slingerland
Stacy
Struble
W. F. Taylor
Tewksbury
Tremain
Vedder
Wellington
Wetherbee
Whitmore
Willis
Worth
Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act making an appropriation to pay Erastus D. Palmer for the bronze statue of Robert R. Livingston," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 96 }
{ NOES 5 }

Those who voted in the affirmative, were

Alvord
Badger
Barkley
Beach
Beardsley
Benedict
Bennett
Berry
Bishop
Bordwell
Bowen
Braman
Broas
Brown
Burtis
Calkins
T. C. Campbell

Daggett
Daly
Decker
Edson
Farrar
Faulkner
Fay
Fream
Friend
Gallagher
Gedney
Green
Hammond
Hanrahan
Hess
Hinckley
Hogan

Krack
Kshinka
Lawson
Lewis
Lillybridge
Lincoln
Mackin
McAfee
McGowan
Merwin
J. W. Miller
W. Miller
Muller
Page
Peck
Petty
Pierson

Schieffelin
Schuyler
Seward
Sherman
Silverman
Slingerland
Smith
Speaker
Stacy
Stephens
Struble
Talmadge
G. Taylor
W. F. Taylor
Tewksbury
Tremain
Vedder

T. J. Campbell	Houghton	Pope	Vosburgh
Clark	Hussey	Prince	Waehner
Cleary	Husted	Ransom	Wellington
Cole	Ives	Roscoe	Wenzel
Comstock	W. Johnson	Russell	Whitmore
Cooke	W. A. Johnson	Sanford	Willis
Costigan	Kennaday	Schenck	Witbeck

Those who voted in the negative were,

Bradley	Hauschel	Keenan	O'Keefe
Coffey			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate returned the following resolution: "*Resolved* (if the Senate concur), That when the Legislature adjourn on Friday, the 19th inst., it do so to meet on Wednesday morning, the 24th inst., at 11 o'clock," with a message informing of concurrence in the passage of the same, with the following amendments.

Strike out "Wednesday morning, the 24th," and insert "Tuesday evening, the 23d." Also, strike out "11 o'clock," and insert "7½ o'clock."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendments.

The bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend the Revised Statutes in relation to laying out of public roads and the alteration thereof,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Daly	Lawson	Seward
Barkley	Decker	Lewis	Shattuck
Beach	Dessar	Lincoln	Silverman
Beardsley	Edson	McAfee	Slingerland
Benedict	Farrar	McGowan	Smith
Berry	Faulkner	Merwin	Speaker
Bishop	Fay	J. W. Miller	Stauf
Bordwell	Fream	Oakley	Stephens
Bowen	Friend	O'Keefe	Talmadge
Bradley	Gallagher	Page	G. Taylor
Broas	Gedney	Pope	W. F. Taylor
Burtis	Hammond	Prince	Tewksbury
Calkins	Hanrahan	Ransom	Tremain
T. C. Campbell	Hinckley	Reilly	Vedder
Christopher	Hogan	Rich	Vosburgh
Clark	Houghton	Roscoe	Waehner
Cleary	W. Johnson	Russell	Wenzel

Cole
Comstock
Cooke
Costigan

Kennaday
Krack
Kshinka

Sanford
Schieffelin
Schuyler

Willis
Witbeck
Wurts

Those who voted in the negative, were

Badger
Brogan

Hauschel
Husted

W. Miller

Peck

Pending the call, Mr. Husted asked to be excused from voting.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York,' chapter 590, Laws of 1872, passed May 7, 1872," being announced for a third reading,

Mr. Hess moved to recommit said bill to the committee on affairs of cities, retaining its place on the calendar of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent, Mr. Silverman introduced a bill entitled "An act to prevent gambling in stocks and gold," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate lying under the water of Seneca lake to Hobart College," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord
Badger
Barkley
Beach
Beardsley
Benedict
Berry
Bishop
Bowen
Bradley
Braman
Broas
Brown
Burtis
Calkins
T. C. Campbell
T. J. Campbell

Davis
Decker
Dessar
Farrar
Faulkner
Fay
Fish
Fream
Friend
Gallagher
Green
Griffin
Hammond
Hanrahan
Hauschel
Hess
Hinckley

Keenan
Kennaday
Krack
Kshinka
Law
Lewis
Lillybridge
Lincoln
McAfee
McGowan
Merwin
J. W. Miller
Oakley
O'Keefe
Page
Peck
Petty

Russell
Sanford
Schieffelin
Schuyler
Seward
Shattuck
Sherman
Sherwood
Silverman
Slingerland
Speaker
Stacy
Stauf
Stephens
Talmadge
G. Taylor
Tremain

Clark	Houghton	Pierson	Waehner
Cole	Husted	Pope	Wenzel
Comstock	Ives	Prince	Whitmore
Cooke	W. Johnson	Rich	Witbeck
Costigan	W. A. Johnson	Roscoe	Wurts
Daly			

Those who voted in the negative, were

Christopher W. Miller

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 46 of title 10 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kirk	Sherman
Badger	Decker	Krack	Slingerland
Barkley	Dessar	Kshinka	Smith
Beach	Farrar	Lawson	Speaker
Beardsley	Faulkner	Lewis	Stacy
Benedict	Fay	Lillybridge	Stauf
Bishop	Fish	Lincoln	Stephens
Bordwell	Friend	McAfee	Talmadge
Bowen	Gallagher	Merwin	G. Taylor
Bradley	Green	J. W. Miller	W. F. Taylor
Braman	Hammond	Oakley	Tewksbury
Broas	Hanrahan	O'Keefe	Tremain
Calkins	Hauschel	Page	Vedder
T. C. Campbell	Hess	Peck	Waehner
T. J. Campbell	Hinckley	Petty	Wellington
Christopher	Hogan	Reilly	Wenzel
Clark	Houghton	Rich	Whitmore
Coffey	Hussey	Roscoe	Willis
Cole	Ives	Schieffelin	Witbeck
Comstock	W. A. Johnson	Schuyler	Wurts
Cooke	Kennaday	Shattuck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend title 7 of chapter 1 of part 4 of the Revised Statutes, relative to the punishments for attempting to commit offenses," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 4 }

Those who voted in the affirmative, were

Barkley	Gallagher	Lincoln	Sherwood
Beach	Griffin	McAfee	Slingerland
Beardsley	Hammond	McGowan	Smith
Benedict	Hanrahan	Merwin	Speaker
Bishop	Hauschel	W. Miller	Stacy
Bowen	Hess	O'Keefe	Stauf
Braman	Hinckley	Page	Stephens
Brown	Hogan	Petty	G. Taylor
Calkins	Houghton	Pope	W. F. Taylor
T. C. Campbell	Husted	Prince	Tewksbury
Christopher	Ives	Ransom	Tremain
Clark	W. Johnson	Reilly	Vedder
Cole	W. A. Johnson	Roscoe	Vosburgh
Cooke	Kennaday	Sanford	Waehner
Costigan	Krack	Schieffelin	Wellington
Daly	Kshinka	Schuyler	Wenzel
Dessar	Lawson	Seward	Whitmore
Farrar	Lewis	Shattuck	Willis
Faulkner	Lillybridge	Sherman	Wurts
Friend			

Those who voted in the negative, were

Decker	Keenan	J. W. Miller	Peck
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to amend sections 122 and 128 of article 6 of title 1 of chapter 16 of part 1 of the Revised Statutes, in relation to the erection, repairing and preservation of bridges," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Comstock	Ives	Schieffelin
Barkley	Cooke	W. A. Johnson	Seward
Beach	Decker	Kennaday	Shattuck
Beardsley	Dessar	Lawson	Slingerland
Benedict	Edson	Lewis	Speaker
Berry	Faulkner	Lillybridge	Stacy
Bishop	Fay	Lincoln	Struble
Bordwell	Fream	Merwin	Talmadge
Bowen	Friend	W. Miller	G. Taylor
Bradley	Gallagher	Page	W. F. Taylor

Braman	Griffin	Peck	Tewksbury
Broas	Hammond	Petty	Tremain
Brown	Hanrahan	Pope	Vosburgh
Calkins	Hess	Ransom	Waehner
T. J. Campbell	Hinckley	Rich	Wellington
Christopher	Hogan	Roscoe	Whitmore
Clark	Hussey	Russell	Willis
Cleary	Husted	Sanford	Witbeck
Cole			

Those who voted in the negative, were

Bennett	Hauschel	Keenan	Reilly
T. C. Campbell	Houghton	Prince	Stauf
Costigan			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Waehner, and by unanimous consent, the present order of business was laid upon the table for the purpose of taking up the order of business "reports of standing committees."

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to exempt bonds and mortgages from taxation," reported adversely thereto.

Mr. Schieffelin moved to disagree with said report, and that the bill be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to willful neglect of duty and violation of law by town, city and county officers," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act relating to the Farmers' Loan and Trust Company," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize and confirm the official acts of Robert Payne as notary public," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on public education, to which was referred the bill entitled "An act to legalize and confirm the official acts of William P. Lee as notary public in the city and county of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to enable married women to release dower," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, introduced a bill entitled "An act in relation to trust companies," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Waehner,

Resolved, That the committee on the judiciary be discharged from the further consideration of Assembly bill entitled "An act to create a State board of audit," and that the same be referred to the committee on general laws.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to provide for the construction of railroads in cities," reported, asking that they be discharged from the further present consideration of said bill, and that the same be printed and recommitted to said committee; which report was agreed to, and said bill so ordered.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act in relation to coroners' fees and post mortem examinations in Erie county," reported, asking that they be discharged from the further present consideration of said bill, and that the same be printed and recommitted to said committee; which report was agreed to, and said bill so ordered.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to authorize the formation of corporations for the safe keeping and guarantying of personal property," reported, asking that they be discharged from the further present consideration of said bill, and that the same be printed and recommitted to said committee; which report was agreed to, and said bill so ordered.

Mr. Page, from the committee on canals, to which was referred the Senate bill entitled "An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal on Goodman street, at the east boundary line of the city of Rochester,' passed June 5, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Kirk, the committee on charitable and religious societies was discharged from the further consideration of the bill entitled "An act to incorporate and change the name of the Associate Congregation of Bovina, and to sell their glebe, and other purposes;" also, the Senate bill entitled "An act to enable the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo, to sell and convey certain lands," and said bills were referred to the committee on general laws.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing proceedings on the reception of William Cullen Bryant, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 3,000 copies of the proceedings of the Legislature on the reception of William Cullen Bryant, embracing the addresses of the President of the Senate and the Speaker of the House, and the responses of Mr. Bryant, be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing 1,000 copies of the annual report of the State Treasurer for the fiscal year 1874, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That 1,000 copies of the annual report of the State Treasurer for the fiscal year 1874 be printed, 500 for the Legislature and 500 copies for the use of the Treasurer.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing 3,000 copies of the annual report of the board of managers of the New York State Lunatic Asylum at Utica, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That 2,000 copies of the annual report of the board of managers of the New York State Lunatic Asylum at Utica be printed for the use of the managers.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing 2,500 copies of the report of the Western House of Refuge, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That there be printed 1,000 copies of the report of the Western House of Refuge, for the use of the managers of that institution.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same, with amendments.

Mr. Sherwood, from a committee of conference, reported as follows:

The committee of conference, appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the bill entitled "An act to reduce the term of imprisonment of convicts in the several penitentiaries of this State," having met and duly considered the same, have agreed to recommend concurrence in the amendment thereto adopted by the Assembly. And the committee further recommend the adoption of the following:

Strike out in line 13, engrossed bill, the word "made," and insert in lieu thereof the word "unable."

A. J. WELLMAN,
Chairman Senate Committee.
GEORGE SHERWOOD,
Chairman Assembly Committee.

Mr. Speaker put the question whether the House would agree to the report of the committee of conference, and it was determined in the affirmative.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Lewis	Sherman
Badger	Faulkner	Lincoln	Sherwood
Barkley	Fay	Mackin	Sheil
Beach	Fish	McGowan	Silverman
Beardsley	Fream	McGroarty	Slingerland
Benedict	Friend	J. W. Miller	Smith
Bennett	Gedney	W. Miller	Speaker
Berry	Green	O'Keefe	Stauf
Bishop	Griffin	Page	Talmadge
Bordwell	Hammond	Peck	W. F. Taylor
Bowen	Hauschel	Petty	Tewksbury
Bradley	Hess	Prince	Tremain
Braman	Hinckley	Ransom	Vedder
Brogan	Hogan	Reilly	Vosburgh
Brown	Hussey	Rich	Waehner
Calkins	Husted	Roscoe	Wenzel
T. C. Campbell	Keenan	Russell	Whitmore
T. J. Campbell	Kennaday	Sanford	Willis
Christopher	Kirk	Schieffelin	Witbeck
Clark	Krack	Seward	Wurts
Cleary	Kshinka	Shattuck	Yost
Cooke	Lawson		

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

On motion of Mr. Vosburgh, at 2 o'clock and 20 minutes, the House adjourned.

FRIDAY, FEBRUARY 19, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Dr. Darling.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act to authorize the common council of the city of Lockport to raise by tax the sum of two thousand dollars to expend in repairing the Spaulding hose carriage house in said city."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to establish specie payments on all contracts or obligations payable in this State in dollars and made after January 1st, 1879," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to amend the charter of the village of Dansville," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Barkley	Farrar	Kirk	Sauford
Beach	Faulkner	Krack	Schenck
Benedict	Fay	Kshinka	Schieffelin
Berry	Fish	Law	Schuyler
Bishop	Fream	Lawson	Shattuck
Bowen	Friend	Lewis	Sherman
Bradley	Gallagher	Lillybridge	Sherwood
Braman	Green	Lincoln	Sheil
Broas	Hammond	Mackin	Silverman
Brogan	Hanrahan	McAfee	Slingerland
Brown	Hauschel	McGowan	Smith
Calkins	Hess	Merwin	Speaker
T. C. Campbell	Hinckley	Oakley	Struble
T. J. Campbell	Hogan	O'Keefe	G. Taylor
Christopher	Houghton	Peck	W. F. Taylor
Clark	Hussey	Petty	Tewksbury
Comstock	Husted	Pierson	Vosburgh
Costigan	Ives	Ransom	Wellington
Daggett	W. A. Johnson	Reilly	Wenzel
Daly	Keenan	Rich	Whitmore
Edson	Kennaday	Roscoe	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Western Railroad Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 72 }
{ NOES 22 }

Those who voted in the affirmative, were

Alvord	Edson	Law	Schieffelin
Badger	Faulkner	Lawson	Schuyler
Barkley	Fay	Lillybridge	Seward
Beach	Fish	Lincoln	Shattuck
Benedict	Friend	Mackin	Silverman
Berry	Gallagher	McAfee	Slingerland
Bishop	Green	McGowan	Speaker
Bowen	Hammond	Merwin	Stephens
Broas	Hauschel	W. Miller	Struble

Burtis	Hinckley	Muller	G. Taylor
Calkins	Hogan	Oakley	W. F. Taylor
T. C. Campbell	Houghton	O'Keefe	Tewksbury
T. J. Campbell	Hussey	Pierson	Vosburgh
Christopher	Husted	Pope	Wellington
Clark	Ives	Roscoe	Wenzel
Daggett	W. A. Johnson	Russell	West
Daly	Kennaday	Sanford	Whitmore
Decker	Kshinka	Schenck	Wurts

Those who voted in the negative, were

Bennett	Comstock	Keenan	Reilly
Bordwell	Costigan	Krik	Rich
Bradley	Dessar	Krack	Sherman
Brogan	Farrar	Petty	Sheil
Brown	Hanrahan	Ransom	Smith
Cole	Hess		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and supplemental thereto," being announced for a third reading,

By unanimous consent, on motion of Mr. Kennaday, said bill was amended by striking out in section 4, after the word "society" in line 14 of engrossed bill, the remaining portion of said section.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Daggett	Kirk	Sanford
Badger	Daly	Krack	Schenck
Barkley	Decker	Kshinka	Schieffelin
Beach	Edson	Lawson	Schuyler
Benediot	Ely	Lillybridge	Seward
Bennett	Farrar	Lincoln	Shattuck
Bishop	Faulkner	Mackin	Sherman
Bordwell	Fay	McGowan	Silverman
Bowen	Fish	Merwin	Slingerland
Braman	Gallagher	W. Miller	Speaker
Broas	Hammond	Muller	Stephens
Brown	Hinckley	Oakley	Struble
Burtis	Hogan	O'Keefe	G. Taylor
Calkins	Houghton	Peck	Tewksbury
T. C. Campbell	Hussey	Petty	Vedder
Christopher	Husted	Pope	Waeher
Clark	Ives	Ransom	West
Cole	W. A. Johnson	Rich	Whitmore
Comstock	Keenan	Roscoe	Wurts
Costigan	Kennaday	Russell	

Those who voted in the negative, were

Brogan	Cleary	Hanrahan	Hauschel
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 327 of Session Laws of 1874, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Westchester,'" being announced for a third reading,

Mr. Husted moved to lay said bill on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 40 }
{ NOES 63 }

Those who voted in the affirmative, were

Alvord	Daggett	W. A. Johnson	Russell
Badger	Decker	Law	Sanford
Bishop	Farrar	Lillybridge	Seward
Bordwell	Fay	Lincoln	Sherwood
Bowen	Green	McAfee	Struble
Braman	Hess	W. Miller	Tewksbury
Burtis	Hinckley	Peck	Vedder
Calkins	Houghton	Petty	West
Clark	Hussey	Pope	Whitmore
Comstock	Husted	Prince	Willis

Those who voted in the negative, were

Barkley	Daly	Krack	Schieffelin
Beach	Dessar	Kshinka	Schuyler
Beardsley	Edson	Lawson	Shattuck
Benedict	Faulkner	Lewis	Sherman
Bennett	Fish	Mackin'	Sheil
Berry	Fream	McGowan	Silverman
Bradley	Gallagher	Merwin	Smith
Broas	Griffin	Muller	Speaker
Brogan	Hammond	Oakley	Stauf
Brown	Hanrahan	O'Keefe	Stephens
T. C. Campbell	Hauschel	Pierson	G. Taylor
T. J. Campbell	Hogan	Ransom	Vosburgh
Christopher	Ives	Reilly	Waehner
Cleary	Keenan	Rich	Wenzel
Cole	Kennaday	Roscoe	Wurts
Costigan	Kirk	Schenck	

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }
{ NOES 39 }

Those who voted in the affirmative, were

Barkley	Dessar	Kshinka	Schieffelin
Beach	Edson	Lawrence	Schuyler

Beardsley	Ely	Lawson	Shattuck
Benedict	Faulkner	Lewis	Sherman
Bennett	Fish	Mackin	Sheil
Berry	Fream	McGowan	Silverman
Bradley	Gallagher	Merwin	Smith
Broas	Griffin	Muller	Speaker
Brogan	Hammond	Oakley	Stauf
Brown	Hanrahan	O'Keefe	Stephens
T. C. Campbell	Hauschel	Pierson	G. Taylor
T. J. Campbell	Hogan	Ransom	Vosburgh
Christopher	Ives	Reilly	Waehner
Cleary	Keenan	Rich	Wenzel
Cole	Kennaday	Roscoe	Wetherbee
Costigan	Kirk	Schenck	Wurts
Daly	Krack		

Those who voted in the negative, were

Alvord	Decker	Law	Seward
Bishop	Farrar	Lillybridge	Sherwood
Bordwell	Fay	Lincoln	Struble
Bowen	Green	McAfee	W. F. Taylor
Braman	Hess	W. Miller	Tewksbury
Burtis	Hinckley	Peck	Vedder
Calkins	Houghton	Petty	West
Clark	Hussey	Pope	Whitmore
Comstock	Husted	Russell	Willis
Daggett	W. A. Johnson	Sanford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting him to return the bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Speaker presented the following communication:

STATE OF NEW YORK,
DEPARTMENT OF PUBLIC INSTRUCTION,
SUPERINTENDENT'S OFFICE, ALBANY, *February 19, 1875.* }

HON. JEREMIAH MCGUIRE, *Speaker of the Assembly:*

Sir—I have the honor to transmit herewith the eighth annual report of the New York Institution for the Improved Instruction of Deaf Mutes.

Very respectfully,

Your obedient servant,
NEIL GILMOUR,
Superintendent of Public Instruction.

Ordered, That said report be laid on the table and printed.
(*See Doc. No. 25.*)

The bill entitled "An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 70 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Schieffelin
Beardsley	Dessar	Krack	Schuyler
Benedict	Edson	Kshinka	Seward
Bishop	Ely	Lillybridge	Sherman
Bordwell	Farrar	Lincoln	Sheil
Bowen	Faulkner	Mackin	Silverman
Bradley	Fay	Merwin	Speaker
Braman	Green	Oakley	Stauf
Broas	Hammond	O'Keefe	Struble
Brogan	Hanrahan	Peck	G. Taylor
Calkins	Hauschel	Petty	W. F. Taylor
T. C. Campbell	Hess	Pierson	Tewksbury
Christopher	Hinckley	Prince	Vedder
Clark	Hogan	Ransom	Vosburgh
Cleary	Houghton	Reilly	Wenzel
Cole	Hussey	Roscoe	West
Costigan	W. A. Johnson	Russell	Whitmore
Daggett	Kennaday		

For the negative,

Barkley

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the census or enumeration of the inhabitants of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Russell
Barkley	Daggett	Kirk	Sanford
Beach	Decker	Krack	Schenck
Beardsley	Dessar	Kshinka	Schieffelin
Benedict	Edson	Law	Schuyler
Bennett	Ely	Lawson	Seward

Bishop	Farrar	Lewis	Shattuck
Bowen	Faulkner	Lillybridge	Sherman
Bradley	Fay	Lincoln	Slingerland
Braman	Fish	McAfee	Smith
Broas	Gallagher	Merwin	Speaker
Brogan	Green	W. Miller	Stauf
Brown	Griffin	Muller	Struble
Burtis	Hammond	Oakley	G. Taylor
Calkins	Hauschel	O'Keefe	W. F. Taylor
T. C. Campbell	Hess	Peck	Vosburgh
T. J. Campbell	Hinckley	Petty	Wenzel
Christopher	Hogan	Pierson	West
Clark	Houghton	Prince	Whitmore
Cleary	W. A. Johnson	Ransom	Wurts
Cole	Keenan	Roscoe	Yost
Comstock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Cleary	Hogan	Muller
Barkley	Comstock	Houghton	O'Keefe
Beach	Costigan	W. A. Johnson	Peck
Beardsley	Daly	Keenan	Rich
Benedict	Decker	Kennaday	Roscoe
Bishop	Edson	Kirk	Russell
Bordwell	Ely	Krack	Schieffelin
Bowen	Farrar	Kshinka	Schuyler
Bradley	Faulkner	Law	Shattuck
Braman	Fay	Lawson	Sherman
Broas	Fish	Lewis	Sheil
Brogan	Fream	Lillybridge	Smith
Burtis	Gallagher	Lincoln	Speaker
Calkins	Green	Mackin	G. Taylor
T. C. Campbell	Griffin	McGowan	W. F. Taylor
Christopher	Hess	Merwin	West
Clark	Hinckley	W. Miller	Whitmore

Those who voted in the negative, were

Hammond	McAfee	Prince	Tewksbury
Hauschel	Petty	Sanford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An to provide for the election of a receiver of taxes and assessments for the town and vil-

lage of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Seward
Badger	Dessar	Kirk	Shattuck
Barkley	Edson	Krack	Sherman
Beach	Ely	Lawrence	Sherwood
Beardsley	Farrar	Lewis	Sheil
Benedict	Faulkner	Lincoln	Silverman
Bordwell	Fay	Mackin	Slingerland
Bowen	Fish	McAfee	Smith
Braman	Fream	McGowan	Speaker
Broas	Gallagher	Merwin	Stauf
Brogan	Green	Muller	Struble
Brown	Griffin	Oakley	G. Taylor
Burtis	Hammond	O'Keefe	W. F. Taylor
Calkins	Hauschel	Peck	Tewksbury
T. C. Campbell	Hess	Pope	Vosburgh
Christopher	Hinckley	Prince	Waehner
Clark	Hogan	Reilly	Wenzel
Cleary	Houghton	Roscoe	West
Comstock	Hussey	Ruesell	Wetherbee
Costigan	Husted	Sanford	Whitmore
Daggett	W. A. Johnson	Schenck	Wurts
Daly	Keenan	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Schieffelin
Badger	Decker	Kirk	Schuyler
Barkley	Dessar	Krack	Seward
Beach	Edson	Lawson	Sherman
Benedict	Ely	Lewis	Sherwood
Bordwell	Farrar	Lincoln	Sheil

Bowen	Faulkner	Mackin	Silverman
Bradley	Fay	McAfee	Slingerland
Braman	Fish	McGowan	Speaker
Broas	Gallagher	Merwin	Struble
Brogan	Green	W. Miller	G. Taylor
Brown	Hammond	Muller	W. F. Taylor
Burtis	Hess	O Keefe	Tewksbury
Calkins	Hinckley	Pope	Waehner
T. J. Campbell	Hogan	Prince	Wenzel
Christopher	Houghton	Reilly	West
Clark	Hussey	Rich	Wetherbee
Cleary	Husted	Roscoe	Whitmore
Cole	W. A. Johnson	Sanford	Wurts
Costigan	Keenan	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the resolution of Mr. Waehner asking the recall from the Governor of the bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend an act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," with a message informing of concurrence in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

On motion of Mr. Hammond, the bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' known as the Code of Procedure," with the amendments of the Senate thereto, was taken from the table.

Mr. Alvord moved to refer said bill to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }
{ NOES 26 }

Those who voted in the affirmative, were

Badger	Daly	Kirk	Schenck
Barkley	Dessar	Kshinka	Schieffelin
Beach	Edson	Lewis	Schuyler
Beardsley	Ely	Lincoln	Seward
Benedict	Farrar	Mackin	Sherman
Bishop	Faulkner	McAfee	Sheil
Bowen	Fay	McGowan	Silverman
Bradley	Fream	Merwin	Speaker
Broas	Green	W. Miller	Stephens
Brown	Griffin	Petty	G. Taylor
Burtis	Hammond	Pierson	Vedder
T. C. Campbell	Hauschel	Pope	Vosburgh

T. J. Campbell	Hess	Prince	Waehner
Christopher	Hinckley	Rich	Wenzel
Cole	Hogan	Roscoe	Wetherbee
Comstock	Husted	Sanford	Whitmore
Costigan	Kennaday		

Those who voted in the negative, were

Alvord	Fish	Lawson	Slingerland
Bennett	Gallagher	O'Keefe	Smith
Bordwell	Houghton	Peck	W. F. Taylor
Braman	Hussey	Ransom	Tewksbury
Clark	W. A. Johnson	Reilly	West
Cleary	Keenan	Russell	Wurts
Decker	Krack		

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act amendatory of the several acts relating to Washington park in the city of Albany," with a message informing of concurrence in the passage of the same, with the following amendments:

Strike out section 2. Change section 3 to section 2.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kshinka	Schuyler
Beach	Edson	Lawson	Seward
Beardsley	Ely	Lewis	Sherman
Bennett	Farrar	Lincoln	Sherwood
Bowen	Faulkner	Mackin	Shiel
Bradley	Fish	McAfee	Silverman
Braman	Gallagher	McGowan	Slingerland
Broas	Green	W. Miller	Smith
Burtis	Griffin	O'Keefe	Speaker
Calkins	Hammond	Peck	Stephens
T. C. Campbell	Hanrahan	Petty	G. Taylor
T. J. Campbell	Hauschel	Pope	W. F. Taylor
Christopher	Hess	Ransom	Tewksbury
Clark	Hogan	Rich	Vosburgh
Cleary	Houghton	Roscoe	Waehner
Cole	Hussey	Russell	Wenzel
Comstock	W. A. Johnson	Sanford	Whitmore
Costigan	Kennaday	Schenck	Witbeck
Daly	Kirk	Schieffelin	Wurts
Decker			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize plank-road and turnpike companies formed under and by virtue of part 1, chapter 18, title 1, article 5 of the Revised Statutes, to extend their charter or corporate existence,' passed April 18, 1872," reported adversely thereto, which report was agreed to.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Rome,' passed February 23, 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called to the east line thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to confirm and levy the assessment for the expense of constructing a sewer in Myrtle avenue, Snipe street and the Washington park, in the city of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the resolutions of Mr. Waehner, reported a bill entitled "An act to amend chapter 335 of the Laws of 1874, entitled 'An act to reorganize the local government of the city of New York,' " and moved that said bill be printed and recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act in relation to the Fifth avenue in the city of New York, and to the improvement thereof," reported in favor of the passage of the same, with amendments.

On motion of Mr. Daly, said report was laid on the table and ordered printed.

Also, submitted a minority report of said committee on the aforesaid bill.

On motion of Mr. Daly, said report was laid on the table and ordered printed.

On motion of Mr. Alvord, the committee on canals was discharged from the further consideration of the bill entitled "An act in relation to

the canals," the same ordered printed, and recommitted to the committee on canals.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act in relation to railroad corporations," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner moved that the committee on railroads have further time in which to report on the pro rata freight bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Barkley, from the committee on claims, to which was referred the bill entitled "An act for the relief of Jacob F. Graff," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Barkley, from the committee on claims, to which was referred the bill entitled "An act for the relief of George Jones and Harvey Booth," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Barkley, from the committee on claims, to which was referred the bill entitled "An act for the relief of Leander Laduke," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Barkley, from the committee on claims, to which was referred the bill entitled "An act to authorize the canal board to hear and determine the claim of Peter Veile," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act concerning the Hahnemann Hospital in the city and county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Chautauqua Lake Camp Meeting Association of the Erie Conference of the Methodist Episcopal Church,' passed April 13, 1871," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schuyler from the committee on banks, to which was referred the Senate bill entitled "An act in relation to the reduction of the capital stock of banks, banking associations, individual bankers and other moneyed corporations, and for other purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to amend the charter of the Ithaca Mechanics' Society," reported in favor of the passage of the

same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill entitled "An act for the relief of school district No. 17 in the town of Southport, in the county of Chemung," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill entitled "An act to repeal an act entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the village of Port Chester,'" reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. O'Keefe introduced a bill entitled "An act to increase the powers of the common council of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Fish introduced a bill entitled "An act to create a liability against towns for injuries sustained by persons in consequence of the highways or bridges in any town being out of repair or having been defectively constructed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Wurts introduced a bill entitled "An act to regulate the sale of baled hay and straw in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Whitmore offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there shall be submitted to the people, at the next general election to be held in this State, a proposition to amend that part of article 3, section 6, of the Constitution, which reads, "Each member of the Legislature shall receive for his services an annual salary of one thousand five hundred dollars," so as to read as follows: "Each member of the Legislature shall receive for his services an annual salary of one thousand dollars."

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. G. Taylor offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on ways and means be and are hereby directed to ascertain and report to this House, at as early a day as possible, the monthly amount of the moneys of the State on deposit in banks during the years 1873 and 1874 ; the banks in which, and the amounts in each deposited ; the rate of interest allowed to the State on such deposits ; also the moneys borrowed during the past year on account of the State from what banks, how much from each, and at what rate of interest ; also the dates and amounts of payment of State tax by the several county treasurers of the State during the years mentioned, and up to date of report, showing default, if any, on the part of those officers, and the steps taken by the proper authorities to recover the payment of such tax according to law ; and that the committee have power to send for persons and papers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Stauf offered for the consideration of the House a resolution, in the words following :

Whereas, Numerous complaints are made by the people of this State in reference to the gas furnished by the several companies of the State, the exorbitant price of the same, and the unfairness of registering meters ; therefore, be it

Resolved, That the committee on trade and manufactures be directed to prepare and report a general bill for the regulation of the gas supply and the remedying of the existing evils in relation thereto.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Prince offered for the consideration of the House a resolution, in the words following :

Resolved, That 1,000 extra copies of the report of the Eclectic Medical Society of the State of New York, be printed for the use of the Legislature, and 2,500 copies for the use of said society.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Struble offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee on railroads be and they are hereby instructed to report the bill entitled "An act to regulate freights on railroads," within one week from this date.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

On motion of Mr. G. Taylor, at 1 o'clock and 20 minutes, the House adjourned.

TUESDAY, FEBRUARY 23, 1875.

The House met pursuant to adjournment.

No clergyman present.

The reading of the journal of Friday was dispensed with.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 9, 1863; passed April 25, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to authorize the village of Greenbush to issue bonds for the purpose of raising money," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

Whereas, By the United States homestead law of 1872 those entitled to its provisions are obliged to settle on the land selected by them within six months after such selection; and,

Whereas, By reason of this provision a large majority of soldiers wishing to avail themselves of said law are virtually deprived of all its benefits, including those who are at present pecuniarily unable to move west, those who have children too small to withstand the hardships of a new country, or of an age when such removal would deprive them of necessary educational facilities, those who are engaged in business which they cannot immediately leave without special loss, and those who for other reasons are not able to make so important a change for some time to come, the whole of whom, by reason of such delay in removal, would find all desirable and conveniently located land already taken up; therefore, in order to meet these numerous cases, and that those whose valor and sacrifice preserved to the nation all its territory may have the benefit of a small portion for actual settlement and the support of their families,

Resolved (if the Senate concur), That our Senators and Representatives in Congress be requested to favor with their influence and their votes the passage of an amendment to the homestead law extending the time for the actual occupation of land selected by soldiers to ten years from the time of such selection.

The Senate returned the following resolution: "*Resolved* (if the Assembly concur), That 3,000 copies of the annual report of the board of managers of the New York State Lunatic Asylum at Utica be printed, 2,000 for the use of the managers and 1,000 for the Legislature," with a message informing of concurrence in the amendments of the Assembly thereto.

Ordered, That the Clerk return said resolution to the Senate.

The Senate returned the following resolution: "*Resolved* (if the Assembly concur), That there be printed 2,500 copies of the report of the Western House of Refuge, for the use of the managers of that institution," with a message informing of non-concurrence in the amendments made by the Assembly thereto, and that they had appointed a committee of conference thereon, consisting of Messrs. Lord, Selkreg and Lowery, and request a like committee on the part of the Assembly.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Messrs. Friend, G. Taylor, McGowan, Whitmore and Burtis were appointed such committee.

Mr. Alvord, in behalf of Mr. Wetherbee, rose to a question of privilege, and asked that Mr. Wetherbee's name be recorded as having voted in the negative on the bill passed Friday, the 19th inst., entitled "An act to repeal chapter 327 of Session Laws of 1874, entitled 'An act to suppress intemperance and to regulate the sale of intoxicating liquors in the county of Westchester,'" his name appearing as having voted in the affirmative by mistake.

Leave of absence was granted to Messrs. Wenzel and Wurts for an indefinite period.

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the formation of corporations (commonly called boards of trade or exchanges), for the purpose of fostering trade and commerce, to protect it from unjust or unlawful exactions, to reform abuses in trade, to diffuse accurate and reliable information among its members as to the standing of merchants and other matters, to produce uniformity and certainty in the customs and usages of trade, to settle differences between members and to promote a more enlarged and friendly intercourse between merchants."

"An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung."

"An act to confirm the proceedings of the board of supervisors of the county of New York, in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fish, from said committee, reported progress on said first mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. T. C. Campbell moved to discharge the committee of the whole from the further consideration of said bill, and that it be referred to the committee on general laws with instructions to insert section 10, or a section similar in purport, and that the same retain its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent, the title to said bill was amended so as to read, "An act to provide for the incorporation of boards of trade."

Mr. Fish, from said committee, also reported in favor of the passage of said second and third mentioned bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875."

"An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution."

Senate, "An act supplementary to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Russell, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Russell, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Husted, the privileges of the floor were extended to Hon. Peter Schoonmaker.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the Canal Appraisers."

"An act to confirm the official acts of the trustees of the Delaware Literary Institute."

"An act to amend the charter of the village of Canandaigua, by conferring upon the trustees thereof the power to restrain and regulate the construction of wooden buildings and roofs in said village."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Benedict, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

By unanimous consent, Mr. T. J. Campbell introduced a bill entitled "An act in relation to police and courts in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Gedney introduced a bill entitled "An act to change the time of holding the annual election for trustees of the Camp Meeting Association in the city of New York, and to extend the term of office of the present trustees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a memorial on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. J. W. Miller introduced a bill entitled "An act to give effect to a deed of assignment made by the Washington Iron Works to James Bigler," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a memorial on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Hammond introduced a bill entitled "An act to authorize the transfer of moneys held in trust to non-resident guardians and others, and to repeal chapter 59 of the Laws of 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, by unanimous consent, the bill entitled "An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent, Mr. McGowan introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Waehner introduced a bill entitled "An act to amend chapter 335 of the Laws of 1874, entitled 'An act to reorganize the local government of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Comstock presented a petition of citizens of Niagara county in relation to canal tolls; which was read and referred to the committee on canals.

Also, a petition of citizens of Niagara county in relation to overflowing low lands by canal water; which was read and referred to the committee on canals.

By unanimous consent, Mr. Ransom presented a petition of citizens of Erie county in relation to building a fence along a portion of the line of the Erie canal; which was read and referred to the committee on canals.

Also, by unanimous consent, presented a petition of tax payers of the village of Tonawanda, in relation to excise money; which was read and referred to the committee on general laws.

By unanimous consent, Mr. Schuyler presented petitions of citizens of Tompkins county, to reduce tolls on the canals; which were read and referred to the committee on canals.

Also, by unanimous consent, presented a petition of citizens of Tompkins county for the passage of a law to enforce official accountability; which was read and referred to the committee on general laws.

By unanimous consent, Mr. Faulkner presented a petition of citizens of the county of Livingston, to repeal chapter 436 of the Laws of 1874; which was read and referred to the committee on public health.

By unanimous consent, Mr. Russell introduced a bill entitled "An act to secure a more uniform qualification of teachers of public schools," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act concerning the Hahnemann Hospital of the city and county of New York."

"An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same."

"An act in relation to trust companies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherwood, from said committee, reported in favor of the passage of said first and third mentioned bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Sherwood, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Braman moved that the committee of the whole be discharged from the further consideration of said bill, and that the amendment to section 2, made on motion of Mr. Alvord in committee of the whole, be stricken out, and said bill ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That said bill be engrossed and to a third reading.

On motion of Mr. Decker, at 9 o'clock and 45 minutes, the House adjourned.

WEDNESDAY, FEBRUARY 24, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. C. P. McCarthy.

The journal of yesterday was read and approved.

The Senate returned the bills entitled as follows:

"An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the Code of Procedure.'"

"An act amendatory of the several acts relating to Washington park in the city of Albany."

Ordered, That the Clerk deliver said bills to the Governor.

The privileges of the floor were extended to Messrs. James Seward, Chas. Simon and Turner.

Mr. Kshinka introduced a bill entitled "An act to abolish the fees of the justice court of the city of Albany, and to regulate attorney's fees in said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Barkley introduced a bill entitled "An act to fix a place for holding the next town meeting in the town of New Baltimore, in the county of Greene," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Talmage introduced a bill entitled "An act in relation to the Port road in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Cole introduced a bill entitled "An act to regulate the size of apple, pear and potato barrels," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Daly introduced a bill entitled "An act in relation to the repavement of the streets, avenues and highways in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a memorial on the same subject; which was read and referred to the same committee.

Mr. T. C. Campbell introduced a bill entitled "An act to provide for the election of the justices of the district courts in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Keenan introduced a bill entitled "An act to regulate the sale of malt liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Sherman introduced a bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

On motion of Mr. Sherman, said bill was ordered printed.

Also, a bill entitled "An act for the construction of outlets under the Erie canal in the city of Utica to afford an opportunity of carrying the sewage of said city to the Mohawk river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, a bill entitled "An act to provide for the election of police justices in incorporated villages where there are now no police justices," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Prince introduced a bill entitled "An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to provide for the construction, maintenance and operation of local railroads in cities, towns and villages," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Prince moved that said bill be printed, and that 500 extra copies be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Pope introduced a bill entitled "An act to amend section 7 of chapter 433 of the Laws of 1872, entitled 'An act to amend chapter 721 entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, as amended by section 2 of chapter 435 of the Laws of 1873,' passed May 7, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Hogan introduced a bill entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized, to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs at law of said Robert A. Lamont, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Fish introduced a bill entitled "An act in relation to the claims of county officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Petty introduced a bill entitled "An act for the improvement of the navigation of the tributaries of the Great South bay, Suffolk county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Clark introduced a bill entitled "An act to authorize and empower the Canal Commissioners to construct a ditch or drain on and along the south side of the Erie canal through the village of Clyde, in the county of Wayne," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Struble introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes relating to the distribution of the personal property of persons dying intestate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to the proof of wills," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Farrar introduced a bill entitled "An act for the protection of fish in Hoffman pond, in Claverack, Columbia county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. McGroarty introduced a bill entitled "An act to extend the time for the collection of the assessments for the improvement of Fulton avenue in the town of New Lots, Kings county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush, in said county,' passed May 21, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Vosburgh introduced a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Kennaday introduced a bill entitled "An act to amend an act to provide for the incorporation of religious societies, passed April 5, 1813, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Holmes introduced a bill entitled "An act in relation to general terms of the supreme court in the sixth judicial district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the report of the State Assessors, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That 5,000 extra copies of the report of the State Assessors be printed for distribution among the supervisors and assessors of the various towns, cities and villages of the State; said copies shall be distributed by the Secretary of State so that each supervisor and assessor aforesaid shall receive one copy of said report.

Resolved (if the Assembly concur), That 2,000 extra copies be printed for the use of the Legislature, and 1,000 extra copies for the use of the State Assessors.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the Consistory of the Ministers, Elders and Deacons of the Reformed Protestant Dutch Church of Halfmoon) as a board of commissioners to alienate certain real estate belonging to said incorporation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary presented the report of the Troy Catholic Male Orphan Asylum; which was laid on the table and ordered printed.

(See Doc. No. 78.)

Mr. Kshinka presented a petition of Patrick Toole, for relief; which was read and referred to the committee on ways and means.

Messrs. Seward, Beardsley, Lawson, Lillybridge, Schuyler and W. A. Johnson presented petitions for the reduction of tolls on the canals; which were read and referred to the committee on canals.

Mr. Sherman presented a petition of the common council of the city of Utica, to authorize the Canal Commissioners to construct lower out-

lets under the Erie canal in said city; which was read and referred to the committee on canals.

Mr. Lincoln presented petitions of citizens of Ontario county, for the passage of a bill relating to taxing corporations; which were read and referred to the committee on ways and means.

Mr. Green presented a petition of citizens of Genesee county, asking for modification of the assessment laws; which was read and referred to the committee on ways and means.

Mr. Lawrence presented a petition of Wm. Fowler for relief from expenses incurred in enlisting a company for the late war; which was read and referred to the committee on ways and means.

Mr. McAfee presented a petition of Rev. Andrew Stevenson asking for the passage of an act to enable him to take and hold real estate; which was read and referred to the committee on petitions of aliens.

Mr. Ives presented a petition of Mary Hughes asking for release to her of the interest of the State in certain real estate; which was read and referred to the committee on petitions of aliens.

Mr. Wellington presented a petition of the citizens of the village of Hamilton praying for the amendment of their charter; which was read and referred to the committee on affairs of villages.

Also, a remonstrance against amendment to the charter of the village of Hamilton; which was read and referred to the committee on affairs of villages.

Mr. Clark presented a petition of residents of the town of Galen asking that the New York Central Railroad be required to station flagmen at certain railroad crossings in said town; which was read and referred to the committee on railroads.

Mr. Sherman presented a petition of citizens praying for the passage of a law to enforce official accountability; which was read and referred to the committee on the judiciary.

Messrs. W. F. Taylor, Witbeck, Farrar and Kshinka presented remonstrances against any amendment to the Albany and Greenbush bridge charter; which was read and referred to the committee on commerce and navigation.

Mr. Decker presented a remonstrance of the members of Prattsville District Conference against the repeal of the law of 1873 for the suppression of intemperance, pauperism and crime; which was read and referred to the committee on internal affairs.

Mr. Petty presented a remonstrance of the citizens of Suffolk county against the passage of the act to prevent pound fishing in the Great South bay and in the county of Suffolk; which was read and referred to the committee of the whole.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act for the relief of school district No. '17 of the town of Southport, in the county of Chemung."

"An act to confirm the proceedings of the board of supervisors of the county of New York in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875."

"An act making appropriations for the payment of the principal and

the interest of the canal debt for the fiscal year commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution."

"An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the Canal Appraisers."

"An act to confirm the official acts of the trustees of the Delaware Literary Institute."

"An act to amend the charter of the village of Canandaigua, by conferring upon the trustees thereof the power to restrain and regulate the construction of wooden buildings and roofs in said village."

By unanimous consent, Mr. McGroarty introduced a bill entitled "An act to establish a police district in the town of New Lots, and to provide for the government thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Oakley introduced a bill entitled "An act increasing the number of coroners in Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Schieffelin offered for the consideration of the House a resolution, in the words following:

Resolved, That the "Act to amend an act entitled 'An act to incorporate the village of Port Chester,' passed May 14, 1868," which was reported from the committee on affairs of villages for the consideration of the House, for the purpose of having the same printed, be recommended to the committee on affairs of villages.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Dessar offered for the consideration of the House a resolution, in the words following:

Whereas, The Hudson River Railroad Company run their freight and passenger cars over their track in the city of New York, on Eleventh avenue, from Thirtieth to Sixtieth street, with great speed, thereby endangering the lives and safety of the citizens residing in this populous district; and,

Whereas, In consequence of such rapid running, by steam power, of the cars of said company on this avenue, many persons, both children and adults, have been run over and killed or seriously injured, such casualties occurring almost every week; and,

Whereas, The residents of this district have for many years past loudly complained and protested, and still complain and protest, against such wanton and useless destruction of life; therefore,

Resolved, That the committee on railroads be requested to inquire into the facts concerning these alleged casualties, and if they find the same substantiated then said committee are hereby instructed to report such action, by bill or otherwise, as they may deem necessary to remedy the evil.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

Resolved, That the board of health of the city of New York be and they are hereby requested to transmit to the Assembly, within ten days, a detailed statement of the amount of fines, penalties and counsel fees, collected for the year 1874, and also what disposition was made of the moneys so collected.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Stauff called from the table the resolution previously offered by him, in the words following:

Whereas, Numerous complaints are made by the people of this State in reference to the gas furnished by the several companies of the State, the exorbitant price of the same, and the unfairness of registering meters; therefore, be it

Resolved, That the committee on trade and manufactures be directed to prepare and report a general bill for the regulation of the gas supply and the remedying of the existing evils in relation thereto.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Kennaday called from the table the resolution previously offered by him, in the words following:

Resolved, That the Clerk of this House be directed to procure a copy of each of the following books for the use of the committee on general laws, the same to be afterward deposited in the library: Volume 8 of Edmond's Statutes at Large, General Statutes of Illinois (1 volume), General Statutes of California (2 volumes).

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Whitmore called from the table the resolution previously offered by him, in words following:

Resolved (if the Senate concur), That there shall be submitted to the people, at the next general election to be held in this State, a proposition to amend that part of article 3, section 6, of the Constitution, which reads, "Each member of the Legislature shall receive for his services an annual salary of one thousand five hundred dollars," so as to read as follows: "Each member of the Legislature shall receive for his services an annual salary of one thousand dollars."

Mr. Whitmore moved to amend said resolution so as to read as follows:

Resolved (if the Senate concur), That that part of article 3, section 6 of the Constitution, which reads, "Each member of the Legislature shall receive for his services an annual salary of one thousand five hundred dollars," be amended so as to read, "Each member of the Legislature shall receive for his services an annual salary of "one thousand dollars."

Resolved (if the Senate concur), That the foregoing amendment be referred to the Legislature to be chosen at the next general election of Senators, and that in conformity to section 1 of article 13 of the Constitution it be published for three months previous to the time of such election.

Mr. Lincoln moved to amend so as to make the amendment read "three hundred dollars" instead of "one thousand dollars."

Mr. Alvord moved to refer said resolution to the committee on the judiciary.

Mr. Whitmore moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Whitmore, and it was determined in the affirmative.

On motion of Mr. Vosburgh,

Resolved, That the commissioners of pilots in the city of New York be requested to report to this House within ten days a report by items of all fines collected and moneys paid by them, and to whom paid, for the years 1873 and 1874.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned for amendment the Assembly bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860."

Mr. Waehner moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Keenan	Sanford
Badger	Davis	Kirk	Schieffelin
Barkley	Decker	Krack	Schuyler
Beach	Edson	Kshinka	Seward
Beardsley	Farrar	Lawrence	Sherman
Bennett	Faulkner	Lawson	Sherwood
Berry	Fish	Lincoln	Silverman
Bishop	Fream	Mackin	Smith
Bowen	Friend	McAfee	Speaker
Braman	Gallagher	McGowan	Stauf
Brown	Gedney	McGroarty	Stephens
Burtis	Green	Merwin	Struble
Calkins	Hammond	Muller	G. Taylor
T. C. Campbell	Hanrahan	Oakley	W. F. Taylor
T. J. Campbell	Hauschel	Peck	Vedder
Christopher	Hess	Pierson	Vosburgh
Clark	Hinckley	Prince	Waehner
Cleary	Holmes	Ransom	Whitmore
Coffey	Hussey	Rich	Willis
Cooke	Ives	Roscoe	Witbeck
Costigan	W. Johnson	Russell	Yost
Daggett			

Mr. Waehner moved to amend the same as follows: After the word "act," in title, insert the word "further." Section 1, line 7, engrossed bill, after the word "hereby," insert the word "further." Same line, after the word "follows" insert the following:

"SECTION 1. Section 1 of the act entitled 'An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860, is hereby amended so as to read as follows."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Keenan	Schuyler
Badger	Daggett	Kennaday	Seward
Beach	Daly	Kirk	Shattuck
Beardsley	Davis	Krack	Sherman
Benedict	Decker	Kshinka	Silverman
Bennett	Edson	Lawson	Smith
Berry	Fream	Lillybridge	Speaker
Bishop	Friend	Lincoln	Stauf
Bordwell	Gallagher	Mackin	Stephens
Bowen	Gedney	McAfee	Struble
Braman	Green	McGroarty	Talmage
Broas	Griffin	Oakley	W. F. Taylor
Burtis	Hammond	O'Keefe	Tremain
Calkins	Hanrahan	Peck	Vedder
T. C. Campbell	Hauschel	Pope	Waehner
T. J. Campbell	Hess	Ransom	Wellington
Christopher	Hinckley	Reilly	Wenzel
Clark	Hussey	Rich	Whitmore
Cole	Ives	Roscoe	Willis
Comstock	W. Johnson	Russell	Witbeck
Cooke	W. A. Johnson	Sanford	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Speaker presented the annual report of the State Engineer and Surveyor on Canals; which was laid on the table and ordered printed.

(See Doc. No. 80.)

Also, a communication from the common council of New York city relative to pavements; which was laid on the table and ordered printed.

(See Doc. No. 72.)

The bill entitled "An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Russell
Badger	Decker	Krack	Sanford

Beach	Dessar	Kshinka	Schieffelin
Beardsley	Edson	Lawson	Shattuck
Benedict	Faulkner	Lillybridge	Sherman
Bennett	Fish	Lincoln	Silverman
Berry	Fream	Mackin	Smith
Bowen	Friend	McAfee	Speaker
Braman	Gallagher	McGowan	Stauf
Broas	Green	McGroarty	Struble
Brown	Griffin	Merwin	Talmage
Burtis	Hauschel	J. W. Miller	G. Taylor
Calkins	Hess	Oakley	W. F. Taylor
T. C. Campbell	Hinckley	O'Keefe	Tremain
T. J. Campbell	Holmes	Peck	Vedder
Christopher	Hussey	Petty	Vosburgh
Clark	Husted	Pierson	Wellington
Cole	Ives	Pope	Whitmore
Comstock	W. Johnson	Reilly	Willis
Cooke	W. A. Johnson	Rich	Witbeck
Costigan	Kennaday	Roscoe	Yost
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the proceedings of the board of supervisors of the county of New York, in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Cole	Ives	Rich
Barkley	Cooke	Keenan	Roscoe
Barrow	Costigan	Kennaday	Sanford
Beach	Decker	Kirk	Shattuck
Beardsley	Dessar	Kshinka	Sherman
Benedict	Edson	Law	Sheil
Bennett	Farrar	Lawson	Silverman
Berry	Faulkner	Lincoln	Smith
Bishop	Fish	Mackin	Speaker
Bordwell	Fream	McGowan	Struble
Braman	Friend	McGroarty	Talmage
Broas	Gallagher	Merwin	G. Taylor
Brown	Griffin	Oakley	Tremain
Burtis	Hammond	O'Keefe	Vedder
Calkins	Hanrahan	Petty	Vosburgh
T. J. Campbell	Hauschel	Pierson	Waehner
Christopher	Hess	Pope	Whitmore
Clark	Holmes	Reilly	Yost
Coffey			

Those who voted in the negative, were

Badger	W. A. Johnson	Peck	Seward
Comstock	McAfee	Russell	W. F. Taylor
Daggett	W. Miller	Schieffelin	Willis
Hussey			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kirk	Sanford
Badger	Decker	Krack	Schieffelin
Barkley	Dessar	Kshinka	Schuyler
Barrow	Edson	Law	Seward
Beach	Farrar	Lawrence	Shattuck
Beardsley	Faulkner	Lawson	Sherman
Benedict	Fish	Lillybridge	Sherwood
Berry	Fream	Lincoln	Silverman
Bishop	Friend	Mackin	Smith
Bowen	Gallagher	McAfee	Speaker
Braman	Gedney	McGowan	Stauf
Broas	Green	McGroarty	Struble
Brogan	Griffin	W. Miller	G. Taylor
Burtis	Hammond	Oakley	Tremain
Calkins	Hanrahan	O'Keefe	Vedder
T. C. Campbell	Hauschel	Peck	Vosburgh
T. J. Campbell	Hess	Petty	Waehner
Clark	Holmes	Pope	Wellington
Cole	Hussey	Prince	Whitmore
Comstock	W. Johnson	Rich	Willis
Cooke	W. A. Johnson	Roscoe	Yost
Costigan	Kennaday	Russell	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Rich
Badger	Daggett	Kirk	Russell
Barkley	Davis	Krack	Sanford
Barrow	Decker	Kshinka	Schuyler
Beach	Edson	Law	Seward
Beardsley	Farrar	Lawrence	Shattuck
Benedict	Faulkner	Lawson	Sherman
Berry	Fish	Lillybridge	Sherwood
Bishop	Friend	Lincoln	Sheil
Bordwell	Gallagher	Mackin	Smith
Bowen	Gedney	McAfee	Speaker
Braman	Green	McGowan	Stauf
Broas	Griffin	McGroarty	Struble
Brogan	Hammond	Merwin	Talmage
Burtis	Hanrahan	W. Miller	G. Taylor
Calkins	Hauschel	Oakley	W. F. Taylor
T. C. Campbell	Hess	O'Keefe	Tremain
T. J. Campbell	Holmes	Peck	Vedder
Christopher	Hussey	Petty	Vosburgh
Clark	W. Johnson	Pope	Wellington
Cole	W. A. Johnson	Prince	Whitmore
Comstock	Keenan	Reilly	Willis
Cooke			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act supplemental to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Keenan	Russell
Badger	Cooke	Kennaday	Sanford
Barkley	Costigan	Kirk	Schieffelin
Barrow	Decker	Krack	Schuyler
Beach	Dessar	Kshinka	Seward
Beardsley	Edson	Law	Shattuck
Benedict	Farrar	Lawrence	Sherman

Berry	Faulkner	Lawson	Sherwood
Bishop	Fish	Lincoln	Sheil
Bordwell	Fream	Mackin	Smith
Bowen	Friend	McAfee	Speaker
Braman	Gallagher	McGowan	Stauf
Broas	Gedney	McGroarty	Stephens
Brogan	Green	Merwin	Struble
Burtis	Griffin	Muller	Talmage
Calkins	Hammond	Oakley	W. F. Taylor
T. C. Campbell	Hanrahan	O'Keefe	Tremain
T. J. Campbell	Hauschel	Peck	Vosburgh
Christopher	Hess	Petty	Waehner
Clark	Holmes	Prince	Wellington
Cleary	Husted	Rich	Whitmore
Coffey	W. Johnson	Roscoe	Yost
Cole	W. A. Johnson		

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the Canal Appraisers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 100 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	W. A. Johnson	Russell
Badger	Cooke	Keenan	Sanford
Barkley	Costigan	Kennaday	Schieffelin
Barrow	Daggett	Kirk	Schuyler
Beach	Daly	Krack	Seward
Beardsley	Davis	Kshinka	Shattuck
Benedict	Decker	Law	Sherwood
Bennett	Dessar	Lillybridge	Sheil
Berry	Edson	Lincoln	Silverman
Bishop	Farrar	Mackin	Slingerland
Bordwell	Faulkner	McAfee	Smith
Bowen	Fish	McGowan	Speaker
Braman	Fream	Merwin	Stauf
Broas	Friend	W. Miller	Stephens
Brogan	Gedney	Muller	Struble
Brown	Green	Oakley	Talmage
Burtis	Griffin	O'Keefe	G. Taylor
Calkins	Hammond	Peck	W. F. Taylor
T. C. Campbell	Hauschel	Petty	Tremain
T. J. Campbell	Hess	Pierson	Vosburgh
Christopher	Holmes	Pope	Wellington
Clark	Hussey	Prince	Whitmore

Cleary
Coffey
Cole

Husted
Ives
W. Johnson

Reilly
Rich
Roscoe

Willis
Witbeck
Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confirm the official acts of the trustees of the Delaware Literary Institute," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 8 }

Those who voted in the affirmative, were

Alvord
Barkley
Beach
Beardsley
Benedict
Berry
Bishop
Bordwell
Bowen
Braman
Broas
Brogan
Brown
Burtis
Calkins
T. C. Campbell
T. J. Campbell
Christopher
Clark
Cleary
Coffey
Cole
Comstock

Cooke
Costigan
Daggett
Daly
Decker
Dessar
Edson
Farrar
Faulkner
Fay
Fish
Fream
Friend
Gallagher
Gedney
Green
Griffin
Hanrahan
Hauschel
Hess
Holmes
Hussey

Husted
Ives
W. Johnson
W. A. Johnson
Keenan
Kennaday
Kirk
Krack
Kshinka
Lawson
Lillybridge
Lincoln
Mackin
McAfee
McGowan
Merwin
Muller
Oakley
O'Keefe
Peck
Petty
Pope

Reilly
Rich
Russell
Schieffelin
Schuyler
Shattuck
Sherwood
Silverman
Slingerland
Smith
Speaker
Stauf
Stephens
Talmage
G. Taylor
W. F. Taylor
Tremain
Vosburgh
Whitmore
Willis
Witbeck
Yost

Those who voted in the negative, were

Prince

Seward

Waehner

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act concerning the Hahnemann Hospital of the city and county of New York."

"An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same."

"An act in relation to trust companies."

The bill entitled "An act to amend the charter of the village of Canandaigua by conferring upon the trustees thereof the power to restrain

and regulate the construction of wooden buildings and roofs in said village," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }
{ NOES 14 }

Those who voted in the affirmative, were

Alvord	Cole	Husted	Pierson
Barkley	Comstock	Ives	Reilly
Beach	Cooke	W. A. Johnson	Rich
Beardsley	Costigan	Kshinka	Roscoe
Benedict	Daggett	Lawrence	Schuyler
Bennett	Daly	Lawson	Shattuck
Berry	Farrar	Lillybridge	Sherwood
Bishop	Faulkner	Lincoln	Sheil
Bordwell	Fream	Mackin	Slingerland
Bowen	Friend	McAfee	Stephens
Braman	Gallagher	Merwin	Struble
Broas	Green	J. W. Miller	Talmage
Brogan	Griffin	W. Miller	W. F. Taylor
Brown	Hess	O'Keefe	Vosburgh
Burtis	Hogan	Peck	Whitmore
Calkins	Holmes	Petty	Willis
Clark	Hussey		

Those who voted in the negative, were

T. C. Campbell	Hammond	McGowan	Smith
Christopher	Keenan	Schieffelin	Tremain
Decker	Kirk	Sherman	Waehner
Fish	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act concerning the Hahnemann Hospital of the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Daggett	Keenan	Russell
Barkley	Daly	Kennaday	Sanford
Beardsley	Decker	Kirk	Schuyler
Benedict	Dessar	Law	Seward
Berry	Farrar	Lawson	Shattuck
Bishop	Fream	Lincoln	Smith
Bordwell	Friend	Mackin	Speaker

Bowen	Gallagher	McAfee	Stauf
Braman	Gedney	McGowan	Stephens
Broas	Green	McGroarty	Struble
Brogan	Griffin	Merwin	Talmage
Brown	Hanrahan	J. W. Miller	G. Taylor
Calkins	Hauschel	O'Keefe	W. F. Taylor
T. C. Campbell	Hess	Peck	Tremain
T. J. Campbell	Hogan	Petty	Vosburgh
Christopher	Holmes	Prince	Whitmore
Clark	Husted	Reilly	Willis
Comstock	W. Johnson	Rich	Witbeck
Cooke	W. A. Johnson	Roscoe	Yost
Costigan			

Those who voted in the negative, were

Badger Sherman

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Law	Seward
Badger	Daly	Lawson	Shattuck
Barkley	Decker	Lincoln	Sherman
Barrow	Dessar	Mackin	Sheil
Beardsley	Farrar	McGowan	Silverman
Benedict	Fream	McGroarty	Smith
Berry	Friend	Merwin	Speaker
Bishop	Gallagher	J. W. Miller	Stauf
Bordwell	Green	W. Miller	Stephens
Bowen	Griffin	Muller	Struble
Braman	Hanrahan	O'Keefe	Talmage
Broas	Hauschel	Peck	G. Taylor
Brogan	Hess	Petty	W. F. Taylor
Burtis	Holmes	Pierson	Tremain
Calkins	Hussey	Prince	Vosburgh
Christopher	Ives	Reilly	Wellington
Clark	W. Johnson	Rich	Whitmore
Coffey	W. A. Johnson	Roscoe	Willis
Comstock	Keenan	Russell	Witbeck
Cooke	Kennaday	Sanford	Yost
Costigan	Kirk	Schuyler	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to trust companies, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 67 }
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Comstock	W. Johnson	Prince
Badger	Cooke	W. A. Johnson	Rich
Barkley	Daggett	Keenan	Roscoe
Beach	Decker	Kennaday	Russell
Benedict	Dessar	Law	Sanford
Bennett	Farrar	Lawrence	Schieffelin
Berry	Fish	Lawson	Shattuck
Bishop	Fream	Lincoln	Speaker
Bordwell	Friend	McAfee	Stauf
Bowen	Gallagher	McGowan	Stephens
Braman	Gedney	McGroarty	Talmage
Brogan	Green	Merwin	W. F. Taylor
Brown	Griffin	Muller	Tremain
Burtis	Hanrahan	O'Keefe	Vosburgh
Calkins	Hess	Peck	Whitmore
Clark	Holmes	Petty	Willis
Cole	Hussey	Pope	

Those who voted in the negative, were

Costigan	Seward	Sherman	Yost
Hauschel			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same."

"An act to provide for the better care of pauper and destitute children."

"An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Costigan, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Costigan, from said committee, also reported in favor of the passage of said second and third mentioned bills, with amendments;" which report was agreed to, and said bills ordered engrossed and to a third reading.

On motion of Mr. Daly, at 2 o'clock and 10 minutes, the House adjourned.

THURSDAY, FEBRUARY 25, 1875.

The House met pursuant to adjournment.

Prayer by Rev. W. R. G. Mellen.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act to amend chapter 49 of the Laws of 1870, entitled 'An act to amend the act entitled An act in relation to preferred causes in the supreme court and court of appeals,' passed April 5, 1860," with a message informing that they had reconsidered the vote on the final passage of said bill, and as amended had passed the same.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to provide for the payment of expenses incurred for the support and maintenance of persons confined in the county jail of the county of New York upon civil process.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act for the support and maintenance of prisoners confined upon civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act for continuing and regulating a ferry across the Hudson river in the town of Phillipstown, in the county of Putnam," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

The privileges of the floor were extended to Hon. Messrs. Theodore Melville and S. R. Ten Eyck.

A message from the Senate was received and read, informing of non-concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That 3,000 copies of the proceedings of the Legislature on the reception of William Cullen Bryant, embracing the addresses of the President of the Senate and the Speaker of the House, and the responses of Mr. Bryant, be printed for the use of the Legislature.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes,' passed April 30, 1845, passed April 27, 1874."

"An act to provide for the better care of pauper and destitute children."

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That 2,000 extra copies of the pamphlet relating to pauper and destitute children, by William P. Letchworth, being an extract from the eighth annual report of the State Board of Charities, be printed for the use of the Board.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Assembly concur), That 2,000 extra copies of the pamphlet relating to out-door relief, by Martin B. Anderson, being an extract from the eighth annual report of the State Board of Charities, be printed for the use of the Board.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Assembly concur), That the Comptroller be respectfully requested to transmit to the Senate, as soon as practicable, the name of each and every officer and employee of the Senate and Assembly at the last session of the Legislature; the capacity in which each was employed; the services and time of service rendered by each; the amount of pay received by each; to whom paid, and upon whose certificate for services rendered in each case.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to legalize the acts of the board of trustees of the village of Charlotte."

"An act to amend an act entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836."

"An act to amend an act entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Dessar, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Dessar, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by striking out in line 1, after the word "amend," the words "an act," and inserting in lieu thereof the words "chapter 192 of the Laws of 1836;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Dessar, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by striking out in line 1, after the word "amend," the words "an act," and inserting in lieu thereof the words "title 3 of chapter 621 of the Laws of 1857;" which report was agreed to, and said bill ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal on Goodman street, at the east bounday line of the city of Rochester,' passed June 5, 1874."

"An act to legalize and confirm the official acts of William P. Lee, as notary public in the city and county of New York."

"An act to legalize and confirm the official acts of Robert Payne, as notary public."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Beach, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Beach, from said committee, also reported in favor of the passage of said second and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

On motion of Mr. Kshinka, the bill entitled "An act to confirm and levy the assessment for the expense of constructing a sewer in Myrtle avenue, Snipe street and Washington park in the city of Albany," was recommitted to the committee on affairs of cities, retaining its place on general orders.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city."

Senate, "An act to amend the charter of the Ithaca Mechanics' Society."

Senate, "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Schieffelin, from said committee, reported progress on said first mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. McGroarty, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

Mr. Schieffelin, from said committee, also reported in favor of the passage of said second mentioned bill, with the title amended by striking out in line 1 the words "the charter of," and inserting in lieu thereof the words "chapter 79 of the Laws of 1835, entitled 'An act to incorporate;'" which report was agreed to, and said bill ordered to a third reading.

Mr. Schieffelin, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by striking out the words "an act" in line 1, after the word "amend," and inserting in lieu thereof the words "chapter 204 of the Laws of 1864;" which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the relief of Leander Laduke."

"An act to authorize the Canal Board to hear and determine the claim of Peter Viele."

"An act to amend an act entitled 'An act to incorporate the Chau-

tauqua Lake Camp Meeting Association of the Erie Conference of the Methodist Episcopal Church,' passed April 13, 1874."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cole, from said committee, reported that they had stricken out the enacting clause of said first and second mentioned bills; which report was agreed to.

Said bills were rejected.

Mr. Cole, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Alvord the committee of the whole was discharged from the further consideration of said bill, and the same recommitted to the committee on charitable and religious societies.

Mr. Speaker appointed Joseph Callahan page, in place of Leonard Drake removed, such appointment to take effect as of February 23, 1875.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to repeal an act entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853."

"An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor."

"An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of the ministers, elders and deacons of the Reformed Protestant Dutch church at Halfmoon) as a board of commission, to alienate certain real estate belonging to said incorporation."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Page, from said committee, reported in favor of the passage of said first mentioned bill, with the title amended by striking out the words "an act," in line 1, after the word "repeal," and inserting in lieu thereof the words "chapter 171 of the Laws of 1856;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Page, from said committee, also reported in favor of the passage of said second and third mentioned bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

On motion of Mr. Daly,

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend chapter 335 of the Laws of 1874, entitled 'An act to reorganize the local government of the city of New York,'" and that the same be recommitted to the committee on affairs of cities, retaining its place on general orders.

By unanimous consent, Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Whereas, By the terms of a contract made December 28, 1871, between George Worthington and the commissioners of the Elmira Reformatory, the sum of \$6,811.83 was retained by said commissioners, being fifteen per cent on the amount of estimates for materials furnished for said building, and which amount has been certified as due and unpaid by said commissioners in their report to the Legislature dated January 8, 1875; and,

Whereas, The said commissioners were, by chapter 323 of the Laws of 1874, removed from office and a superintending builder was appointed; and,

Whereas, Doubt exists as to the power to pay said sum; therefore,

Resolved (if the Senate concur), That the Comptroller be directed to issue his warrant for the payment of the said sum of \$6,811.83 to the said George Worthington.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

By unanimous consent, on motion of Mr. Petty,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 54, entitled "An act for the protection of fish in the State of New York," and that the same be recommended to the committee on internal affairs.

Mr. Vedder introduced a bill entitled "An act to release to Josephine Robright the real estate of which Frederick Robright died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. Willis introduced a bill entitled "An act to exempt acting members of fire companies from the payment of a poll tax," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Hanrahan introduced a bill entitled "An act in relation to the street railroad companies in the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Gallagher introduced a bill entitled "An act to change the corporate name of the Western New York Poultry Society," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. McGroarty introduced a bill entitled "An act to except a railroad proposed to be constructed in towns of New Utrecht, Gravesend and Flatlands from the provisions of 'An act to regulate the construction and protection of railway crossings in the county of Kings,' passed April 19, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, presented petitions on the same subject; which were read and referred to the same committee.

Mr. Faulkner introduced a bill entitled "An act authorizing the commissioners of highways in the town of Livonia, in the county of Livingston, to lay out and open a certain highway in said town of the width of two rods," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. T. C. Campbell introduced a bill entitled "An act to provide a custodial institution for adult and unteachable idiots," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Costigan introduced a bill entitled "An act for the better regulation of railroad companies, and to protect the rights of minority stockholders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Dessar introduced a bill entitled "An act to amend the act entitled 'An act to extend the exemption of household furniture and working tools from distress for rent and sale under execution,' passed April 11,

1842," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Smith introduced a bill entitled "An act authorizing and directing the mayor and common council of the city of New York to ascertain and determine the claims of Jeremiah Crowley against the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Wachner introduced a bill entitled "An act to improve and simplify law reports," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Comstock introduced a bill entitled "An act to enable Ann Noble to take and hold real estate and to release to her the interest and title in lands escheated to the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. J. W. Miller introduced a bill entitled "An act to prevent shooting upon the public roads in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Page introduced a bill entitled "An act to extend the time for the collection of taxes in the city of Oswego," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to authorize the city of Oswego, in the county of Oswego, to grant and convey an easement in certain real estate," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Roscoe introduced a bill entitled "An act to amend section 69 of title 7 of an act entitled 'An act to revise and consolidate the general acts relating to public instruction, as amended by subsequent statutes,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Shattuck introduced a bill entitled "An act to enable the several cities in this State to build railroads in such cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Schuyler introduced a bill entitled "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Sheil introduced a bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Houghton introduced a bill entitled "An act to authorize the laying of a railroad or tramway track along and beside the roadway of certain streets of the village and town of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bowen introduced a bill entitled "An act to amend an act entitled 'An act in relation to weights and measures,' passed April 11, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Kennaday introduced a bill entitled "An act to amend section 1, title 3, chapter 1 of part 2 of the Revised Statutes in relation to the law of dower," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to repeal sections 34 and 35 of chapter 3 of part 2 of the Revised Statutes, entitled 'Of the proof and recording of conveyances of real estate and the cancellation of mortgages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, introduced a bill entitled "An act to provide for the support of government," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act directing the mayors of cities and the presidents of villages to appoint patrolmen on wharves and docks for the purpose of better protecting human life," reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to authorize the towns and villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Assembly bill entitled "An act supplementary to an act passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester,'" amended by the Senate, reported the same back with the recommendation that the House concur in the amendments of the Senate thereto.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Krack	Schenck
Badger	Ely	Kshinka	Schieffelin
Barkley	Farrar	Lawson	Schuyler
Barrow	Faulkner	Lewis	Scudder
Beach	Fay	Lillybridge	Seward
Benedict	Fish	Lincoln	Shattuck
Bennett	Fream	Mackin	Sherwood
Berry	Friend	McAfee	Sheil
Bishop	Gallagher	McGowan	Silverman
Bowen	Gedney	Merwin	Smith
Braman	Green	J. W. Miller	Speaker
Broas	Hammond	Oakley	Stacy
Brogan	Hanrahan	Page	Stauf
Brown	Hauschel	Peck	Struble
Calkins	Hess	Petty	G. Taylor
T. C. Campbell	Hinckley	Pierson	Tremain
T. J. Campbell	Holmes	Pope	Vedder
Clark	Houghton	Prince	Vosburgh
Cole	Hussey	Ransom	Waehner
Comstock	Ives	Reilly	West
Cooke	W. Johnson	Rich	Whitmore
Costigan	W. A. Johnson	Roscoe	Willis
Daggett	Kennaday	Russell	Witbeck
Davis	Kirk	Sanford	Yost
Decker			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Page, from a majority of the committee on canals, to which was referred the bill entitled "An act to provide for the appointment of a commissioner to investigate, consider and report upon the disposition to be made of the lateral canals," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act relative to the Metropolitan Drawing Room Car Company,' passed May 10, 1874," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill entitled "An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill entitled "An act to amend section 9 of chapter 423 of the Laws of 1853, in relation to corporations in the city of New York, in relation to life and health insurance companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees and other charges payable by insurance companies of sister States,' passed May 11, 1865," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Faulkner the committee on insurance was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the Manhattan Loan and Trust Company of the city of New York,' passed June 26, 1873," and said bill referred to the committee on banks.

Mr. Ely, from the committee on roads and bridges, to which was referred the bill entitled "An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as Big Stream, where the same passes through the village of Dundee, in said town," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the Senate bill entitled "An act to prohibit fishing near any fishery established by the State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to repeal chapter 419 of the Laws of 1874, entitled 'An act to enable the town of Sardinia, Erie county, to raise money to build a town hall,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to authorize a tax to be levied upon the town of Potsdam to build a town house," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to amend section 1 of chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Chemung, Seneca, Yates and Ontario,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes and for the collection of

unpaid taxes, in the town of Jamaica, Queens county,' passed March 26, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to amend an act to provide for the increased facilities of the fire department of the town of New Lots,' passed May 21, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, introduced a bill entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. W. Johnson 500 extra copies of said bill were ordered printed for the use of the House, and the same recommitted to the committee of the whole, retaining its place on general orders.

Mr. W. Johnson moved to discharged the committee on internal affairs from the further consideration of the bill entitled "An act to provide for the guaging of barrels, kegs and casks used in the sale of ale, beer, lager beer and other malt liquors, and for marking the same with their correct liquid capacity," and that said bill be printed and recommitted to said committee.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue in said city, and to contract with Isaac Holloway for such work," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly rose in his place and expressed his dissent from the conclusions of the majority of the committee on said bill.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to authorize the selection and location of grounds for a public park for the city of Troy, and to provide for the maintenance and embellishment thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Friend, from the committee of conference appointed by the Senate and Assembly to consider the matters in difference between the two Houses relative to the following resolution :

Resolved (if the Assembly concur), That there be printed 2,500 copies of the report of the Western House of Refuge for the use of the managers of that institution,

Reported that the committee had met and considered the same, and recommend that the House recede from its amendments to said resolution.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

Messrs. Gallagher, Prince, Alvord, Seward and Lewis presented peti-

tions asking for a reduction of the canal tolls; which was read and referred to the committee on canals.

Mr. Struble presented a petition of 568 tax-payers of the village of Penn Yan, Yates county, for maintenance of Crooked Lake canal; which was read and referred to the committee on canals.

Mr. Alvord presented a petition of some of the chiefs of the Onondaga Indians for a division of their lands; which was read and referred to the committee on Indian affairs.

Mr. G. Taylor presented a remonstrance of boat owners and forwarders against the passage of a bill granting piers one to four, East river, New York, to Union Ferry Company; which was read and referred to the committee on commerce and navigation.

Mr. Russell presented a petition of tax-payers of the county of Wayne in favor of the passage of the bill taxing corporations at the Comptroller's office in the city of Albany; which was read and referred to the committee on ways and means.

Mr. Willis presented a petition of the soldiers of 1812, asking for an appropriation to pay the certificates already issued; which was read and referred to the committee on ways and means.

Mr. Seward presented a petition of Ira Brown, D. Tallman, Daniel Mace and others, proprietors of livery stables, in favor of asphalt pavement for Fifth avenue, New York; which was read and laid on the table.

Mr. Benedict offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk furnish each member, officer and reporter with twenty copies of the diagrams of the Assembly chamber, price not to exceed ten cents each.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Fish offered for the consideration of the House a resolution, in the words following:

Resolved, That 1,000 extra copies of the Report of the Medical Society of the State of New York be printed for the use of the Legislature, and 3,000 copies for the use of said society.

Ordered, That said resolution be referred to the committee on public printing.

On motion of Mr. Daly, at 1 o'clock and 50 minutes, the House adjourned.

FRIDAY, FEBRUARY 26, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Samuel Meredith, of Troy.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend section 238 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act in relation to the treatment of animals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bill entitled as follows:

"An act supplemental to chapter 273 of the Laws of 1866, entitled 'An act authorizing the incorporation of associations to erect monuments to perpetuate the memory of soldiers who fell in defense of the Union,' passed March 30, 1866."

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill entitled as follows:

"An act supplementary to an act passed May 20, 1872, entitled 'An act to amend the several acts relating to the city of Rochester.'"

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize the acts of the board of trustees of the village of Charlotte."

"An act to amend chapter 192 of the Laws of 1836, entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836."

"An act to amend title 3 of chapter 621 of the Laws of 1857, entitled 'An act to amend and condense the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same."

"An act to legalize and confirm the official acts of William P. Lee, as notary public in the city and county of New York."

"An act to legalize and confirm the official acts of Robert Payne, as notary public."

"An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city."

"An act to repeal chapter 171 of the Laws of 1859, entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853."

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to provide for the better care of pauper and destitute children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 11 }

Those who voted in the affirmative, were

Alvord
Barkley
Barrow
Beach
Beardsley
Benedict

Daly
Davis
Decker
Dessar
Edson
Ely

Holmes
Hussey
Ives
W. Johnson
Kennaday
Kirk

Russell
Schieffelin
Schuyler
Scudder
Seward
Shattuck

Berry	Farrar	Kshinka	Sherwood
Bishop	Faulkner	Law	Speaker
Bordwell	Fay	Lawson	Stacy
Braman	Fish	Lewis	Stephens
Broas	Fream	Lillybridge	Struble
Burtis	Friend	Lincoln	G. Taylor
Calkins	Gallagher	Mackin	Vosburgh
T. C. Campbell	Gedney	McGroarty	Waehner
Christopher	Green	J. W. Miller	Wellington
Clark	Griffin	Peck	West
Cole	Hammond	Petty	Wetherbee
Comstock	Hauschel	Pope	Whitmore
Cooke	Hess	Prince	Willis
Daggett	Hinckley	Roscoe	Witbeck

Those who voted in the negative, were

Brogan	Costigan	Houghton	Reilly
Cleary	Hanrahan	Keenan	Smith
Coffey	Hepburn	O'Keefe	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of the board of trustees of the village of Charlotte," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Ives	Russell
Barrow	Edson	Keenan	Scudder
Beach	Farrar	Kennaday	Shattuck
Beardsley	Faulkner	Kirk	Sherwood
Benedict	Fay	Krack	Silverman
Berry	Fish	Kshinka	Speaker
Bishop	Fream	Lawson	Stacy
Bordwell	Friend	Lewis	Stephens
Brown	Gallagher	Lillybridge	Struble
Broas	Gedney	Lincoln	G. Taylor
Brogan	Green	Mackin	W. F. Taylor
Brown	Griffin	McGroarty	Vosburgh
Calkins	Hammond	Merwin	Waehner
T. C. Campbell	Hanrahan	J. W. Miller	Wellington
Christopher	Hauschel	O'Keefe	West
Clark	Hepburn	Page	Wetherbee
Coffey	Hess	Petty	Whitmore
Cole	Hinckley	Pope	Willis
Comstock	Holmes	Rich	Witbeck
Daly	Houghton	Roscoe	Yost
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,'" as amended was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Ives	Russell
Barkley	Edson	Keenan	Schieffelin
Barrow	Ely	Kennaday	Schuyler
Beach	Faulkner	Kirk	Scudder
Beardsley	Fay	Lawson	Seward
Benedict	Fish	Lewis	Shattuck
Berry	Fream	Lillybridge	Sherwood
Bordwell	Friend	Lincoln	Silverman
Braman	Gallagher	McGowan	Smith
Broas	Gedney	McGroarty	Speaker
Brogan	Green	Merwin	Stacy
Burtis	Hammond	O'Keefe	G. Taylor
Calkins	Hanrahan	Page	Vosburgh
T. C. Campbell	Hauschel	Peck	Waehner
T. J. Campbell	Hepburn	Pierson	Wellington
Christopher	Hess	Pope	West
Clark	Hinckley	Prince	Whitmore
Coffey	Holmes	Reilly	Willis
Cole	Houghton	Rich	Witbeck
Comstock	Hussey	Roscoe	Yost
Daly			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to incorporate the Bushwick and Newtown Bridge and Turnpike Road Company,' passed April 26, 1836," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Schieffelin
Barkley	Dessar	Kirk	Schuyler
Barrow	Edson	Krack	Scudder
Beach	Farrar	Kshinka	Seward;
Beardsley	Faulkner	Lawson	Sherwood
Benedict	Friend	Lewis	Sheil

Berry	Gallagher	Lillybridge	Silverman
Bishop	Gedney	Lincoln	Smith
Bordwell	Griffin	Mackin	Speaker
Bowen	Hammond	McGowan	Stacy
Brogan	Hanrahan	McGroarty	Struble
Brown	Hauschel	Merwin	Talmage
Burtis	Hepburn	J. W. Miller	G. Taylor
Calkins	Hess	O'Keefe	W. F. Taylor
T. C. Campbell	Hinckley	Page	Vosburgh
T. J. Campbell	Hogan	Peck	Waehner
Christopher	Holmes	Petty	Wellington
Clark	Houghton	Pierson	West
Cleary	Hussey	Prince	Whitmore
Cole	Ives	Reilly	Willis
Comstock	W. Johnson	Rich	Witbeck
Daggett	W. A. Johnson	Russell	Yost
Daly	Keenan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes, passed April 30, 1845,' passed April 27, 1874," being announced for a third reading,

On motion of Mr. Prince, said bill was recommitted to the committee on petitions of aliens, with instructions to amend the title by striking out the words "an act" in line 1, engrossed bill, and inserting in lieu thereof the words "section 1 of chapter 261 of the Laws of 1874," and report forthwith, said bill to retain its place on the calendar of third reading of bills.

Mr. Edson, from the committee on petitions of aliens, reported back said bill amended as directed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daggett	W. Johnson	Russell
Barkley	Daly	W. A. Johnson	Schieffelin
Barrow	Davis	Keenan	Schuyler
Beach	Decker	Kennaday	Sudder
Beardsley	Dessar	Krack	Seward
Benedict	Edson	Kshinka	Shattuck
Bishop	Farrar	Lawson	Sherwood
Bordwell	Faulkner	Lewis	Sheil
Bowen	Fream	Lillybridge	Silverman
Braman	Gallagher	Lincoln	Speaker
Broas	Gedney	Mackin	Stacy
Brogan	Green	McGowan	Stauf
Brown	Griffin	McGroarty	Talmage

Burtis	Hanrahan	J. W. Miller	G. Taylor
Calkins	Hauschel	Muller	Vosburgh
T. C. Campbell	Hepburn	O'Keefe	Waehner
T. J. Campbell	Hess	Peck	Wellington
Christopher	Hinckley	Petty	West
Clark	Holmes	Pierson	Wetherbee
Cole	Houghton	Pope	Whitmore
Comstock	Hussey	Reilly	Witbeck
Cooke	Husted	Rich	Yost
Costigan	Ives	Roscoe	

For the negative,

Kirk

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kirk	Schuyler
Barkley	Edson	Krack	Scudder
Barrow	Farrar	Kshinka	Seward
Beach	Fay	Lawson	Sherwood
Beardsley	Fream	Lewis	Silverman
Benedict	Gallagher	Lillybridge	Slingerland
Berry	Gedney	Mackin	Smith
Bishop	Green	McGowan	Speaker
Bowen	Griffin	McGroarty	Stacy
Braman	Hammond	J. W. Miller	Struble
Broas	Hauschel	Muller	Talmage
Brogan	Hepburn	O'Keefe	G. Taylor
Brown	Hess	Page	W. F. Taylor
Burtis	Hinckley	Peck	Vedder
T. J. Campbell	Holmes	Petty	Vosburgh
T. J. Campbell	Houghton	Pierson	Waehner
Christopher	Hussey	Pope	Wellington
Clark	Husted	Prince	Wetherbee
Comstock	Ives	Reilly	Whitmore
Cooke	W. Johnson	Rich	Willis
Daly	W. A. Johnson	Roscoe	Witbeck
Davis	Keenan	Russell	Yost
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 605 of the Laws of 1874, entitled 'An act to authorize the Canal Commissioners to build a road or street bridge over the Erie canal, on Goodman street, at the east boundary line of the city of Rochester,' passed June 5, 1874," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Krack	Roscoe
Beach	Edson	Kshinka	Scudder
Berry	Ely	Lawson	Seward
Bordwell	Faulkner	Lewis	Sherwood
Bowen	Fish	Lillybridge	Sheil
Braman	Fream	Lincoln	Smith
Broas	Gedney	Mackin	Speaker
Brogan	Green	McGowan	Stacy
Brown	Griffin	McGroarty	Struble
Burtis	Hauschel	Merwin	Talmage
Calkins	Hepburn	J. W. Miller	G. Taylor
T. C. Campbell	Hess	Muller	Vedder
T. J. Campbell	Hinckley	O'Keefe	Vosburgh
Christopher	Holmes	Page	Waehner
Clark	Houghton	Peck	Wellington
Coffey	Hussey	Petty	West
Cole	Ives	Pierson	Whitmore
Cooke	W. Johnson	Pope	Willis
Daly	W. A. Johnson	Prince	Witbeck
Davis	Kennaday	Rich	Yost
Decker	Kirk		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to legalize and confirm the official acts of William P. Lee as notary public in the city and county of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Schieffelin
Bailey	Dessar	Kirk	Schuyler
Barrow	Edson	Krack	Seward
Benedict	Farrar	Kshinka	Shattuck
Berry	Faulkner	Lewis	Silverman

Bishop	Fay	Lillybridge	Slingerland
Braman	Fish	McGroarty	Smith
Broas	Fream	Merwin.	Speaker
Brogan	Gallagher	J. W. Miller	Stacy
Burtis	Green	Muller	Stauf
Calkins	Griffin	Oakley	Struble
T. C. Campbell	Hanrahan	O'Keefe	Talmage
T. J. Campbell	Hanschel	Page	G. Taylor
Christopher	Hess	Peck	Vosburgh
Clark	Hinckley	Petty	Waehner
Coffey	Houghton	Pierson	Wellington
Cole	Hussey	Prince	West
Comstock	Husted	Reilly	Whitmore
Cooke	Ives	Rich	Willis
Daggett	W. Johnson	Roscoe	Witbeck
Daly	W. A. Johnson	Russell	Yost
Davis			

Those who voted in the negative, were

Costigan Gedney

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor."

"An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of the ministers, elders and deacons of the Reformed Protestant Dutch church at Halfmoon) as a board of commission to alienate certain real estate belonging to said incorporation."

The bill entitled "An act to legalize and confirm the official acts of Robert Payne as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Schuyler
Barkley	Davis	Krack	Seward
Barrow	Decker	Kshinka	Shattuck
Beardsley	Dessar	Lewis	Sherwood
Benedict	Farrar	Mackin	Sheil
Berry	Faulkner	McAfee	Silverman
Bishop	Fay	McGroarty	Slingerland
Bowen	Fish	Merwin	Smith
Braman	Fream	J. W. Miller	Speaker
Broas	Gallagher	W. Miller	Stauf

Brogan	Green	Muller	Stephens
Brown	Griffin	Oakley	Struble
Burtis	Hanrahan	O'Keefe	Talmage
Calkins	Hess	Page	G. Taylor
T. C. Campbell	Hinckley	Peck	Vosburgh
T. J. Campbell	Holmes	Petty	Wellington
Christopher	Houghton	Prince	West
Clark	Hussey	Ransom	Whitmore
Coffey	Husted	Reilly	Willis
Cole	W. A. Johnson	Rich	Witbeck
Cooke	Keenan	Russell	Yost
Daggett	Kennaday	Schieffelin	

Those who voted in the negative, were

Costigan Gedney

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to annex to the city of Brooklyn the town of New Lots and to provide for its government and control in said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Keenan	Russell
Barkley	Decker	Kennaday	Schieffelin
Barrow	Dessar	Kirk	Schuyler
Beach	Farrar	Krack	Scudder
Beardsley	Faulkner	Kshinka	Seward
Benedict	Fish	Lawson	Shattuck
Berry	Fream	Lewis	Sherwood
Bordwell	Gallagher	Lillybridge	Sheil
Bowen	Gedney	McGroarty	Silverman
Braman	Green	Merwin	Smith
Broas	Hammond	J. W. Miller	Stacy
Brogan	Hanrahan	W. Miller	Stauf
Brown	Hauschel	Muller	Stephens
Calkins	Hepburn	Oakley	Struble
T. C. Campbell	Hess	O'Keefe	G. Taylor
T. J. Campbell	Hinckley	Page	W. F. Taylor
Christopher	Holmes	Peck	Vosburgh
Clark	Houghton	Petty	Waehner
Cleary	Hussey	Pierson	Wellington
Coffey	Husted	Prince	Whitmore
Cole	Ives	Reilly	Willis
Comstock	W. Johnson	Rich	Witbeck
Costigan	W. A. Johnson	Roscoe	Yost
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 79 of the Laws of 1835, entitled 'An act to incorporate the Ithaca Mechanics' Society," as amended was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costigan	Kshinka	Scudder
Barkley	Decker	Law	Seward
Barrow	Ely	Lawson	Shattuck
Beach	Faulkner	Lewis	Sherwood
Beardsley	Fay	Lillybridge	Sheil
Benedict	Fish	Merwin	Silverman
Berry	Fream	J. W. Miller	Slingerland
Bishop	Gedney	W. Miller	Smith
Bordwell	Griffin	Muller	Speaker
Braman	Hauschel	Oakley	Stauf
Broas	Hess	O'Keefe	G. Taylor
Brown	Hinckley	Page	W. F. Taylor
Calkins	Holmes	Peck	Vosburgh
T. C. Campbell	Houghton	Petty	Waehner
T. J. Campbell	Hussey	Pierson	Wellington
Christopher	Husted	Reilly	Wetherbee
Clark	Ives	Rich	Whitmore
Cleary	W. Johnson	Russell	Willis
Cole	Kennaday	Schieffelin	Witbeck
Comstock	Krack	Schuyler	Yost

For the negative,

Brogan

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to repeal chapter 171 of the Laws of 1859, entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Ives	Reilly
Barkley	Daggett	W. Johnson	Roscoe
Barrow	Decker	W. A. Johnson	Russell
Beach	Dessar	Keenan	Schuyler
Beardsley	Ely	Kennaday	Shattuck

Benedict	Farrar	Krack	Sherman
Berry	Faulkner	Kshinka	Sherwood
Bishop	Fay	Lawson	Silverman
Bordwell	Fish	Lewis	Slingerland
Braman	Fream	Lillybridge	Speaker
Broas	Gallagher	Mackin	Stauf
Brogan	Green	McGowan	Talmage
Brown	Hammond	McGroarty	G. Taylor
Burtis	Hauschel	Merwin	W. F. Taylor
Calkins	Hepburn	Muller	Vosburgh
T. C. Campbell	Hess	Oakley	Waeher
Christopher	Hinckley	Page	Wellington
Clark	Holmes	Peck	West
Cleary	Houghton	Petty	Whitmore
Cole	Hussey	Pierson	Willis
Comstock	Husted	Ransom	Witbeck
Cooke			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the improvement of the navigation of the Hudson river, and to make an appropriation therefor," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Comstock	Hussey	Petty
Barkley	Costigan	Husted	Pierson
Barrow	Daggett	W. A. Johnson	Prince
Beach	Daly	Keenan	Ransom
Beardsley	Davis	Kennaday	Russell
Benedict	Decker	Kirk	Schuyler
Berry	Dessar	Krack	Seward
Bishop	Farrar	Kshinka	Shattuck
Bordwell	Faulkner	Lawson	Silverman
Bowen	Gallagher	Lewis	Speaker
Braman	Gedney	Lillybridge	Stauf
Broas	Green	McAfee	Stephens
Brogan	Griffin	McGowan	Talmage
Burtis	Hammond	McGroarty	G. Taylor
Calkins	Hanrahan	Merwin	W. F. Taylor
T. J. Campbell	Hauschel	J. W. Miller	Vedder
Christopher	Hepburn	Muller	Vosburgh
Clark	Hinckley	Oakley	Wellington
Cleary	Holmes	O'Keefe	Whitmore
Coffey	Houghton	Page	Willis

Those who voted in the negative, were

Peck Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to extend the time for the collection of county taxes in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Beardsley, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Schieffelin
Barkley	Dessar	Law	Schuyler
Barrow	Farrar	Lawson	Scudder
Beach	Faulkner	Lillybridge	Seward
Beardsley	Fay	Lincoln	Sheil
Benedict	Fish	Mackin	Silverman
Berry	Gallagher	McGowan	Slingerland
Bishop	Green	McGroarty	Speaker
Bowen	Griffin	J. W. Miller	Stauf
Braman	Hammond	W. Miller	Stephens
Broas	Hanrahan	Muller	Struble
Brogan	Hauschel	O'Keefe	G. Taylor
Calkins	Hess	Page	W. F. Taylor
T. C. Campbell	Hinckley	Petty	Vosburgh
Christopher	Houghton	Pierson	West
Clark	Hussey	Ransom	Whitmore
Coffey	Husted	Reilly	Willis
Costigan	W. Johnson	Roscoe	Yost
Daly	Kennaday	Russell	

Those who voted in the negative, were

Gedney Hepburn

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of the ministers, elders and deacons of the Reformed Protestant Dutch church at Halfmoon) as a board of commission, to alienate certain real estate belonging to said incorporation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Husted	Reilly
Barkley	Davis	W. Johnson	Rich
Beach	Decker	Keenan	Roscoe
Beardsley	Dessar	Kennaday	Russell
Benedict	Edson	Krack	Schuyler
Berry	Farrar.	Kshinka	Scudder
Bishop	Fay	Lawson	Shattuck
Bowen	Fream	Lewis	Silverman
Braman	Gallagher	Lillybridge	Slingerland
Broas	Gedney	Lincoln	Speaker
Brogan	Green	Mackin	Stacy
Calkins	Griffin	McGowan	Stauf
T. C. Campbell	Hammond	J. W. Miller	Stephens
T. J. Campbell	Hanrahan	W. Miller	Struble
Christopher	Hauschel	Oakley	G. Taylor
Clark	Hepburn	O'Keefe	W. F. Taylor
Coffey	Hess	Page	West
Cole	Holmes	Petty	Whitmore
Comstock	Houghton	Pierson	Willis
Costigan	Hussey	Ransom	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Beardsley introduced a bill entitled "An act to amend an act entitled 'An act in relation to the compensation of justices of sessions,' passed April 19, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also a bill entitled "An act with regard to testamentary dispositions of estates of decedents and gifts in case of death, or in contemplation of the division of an estate in property among offspring by a parent," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hanrahan introduced a bill entitled "An act prohibiting the use and occupation of the streets in the city of Buffalo for street railroad purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Green introduced a bill entitled "An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. T. C. Campbell introduced a bill entitled "An act to amend and supplementary to an act entitled 'An act to incorporate the Mutual Trust Institution of New York,' passed April 24, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Dessar introduced a bill entitled "An act to facilitate the con-

struction of railways for the rapid transit of passengers and freight within the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hammond introduced a bill entitled "An act to provide for and regulate the mode of admission of attorneys and counselors coming from the courts of other States to practice in the courts of this State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hammond, said bill was ordered printed and referred to the committee on the judiciary.

Mr. Stephens introduced a bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads, passed May 18, 1869," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, a bill entitled "An act to authorize the increase of the capital stock of the Staten Island Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Also, a bill entitled "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Petty introduced a bill entitled "An act for the more effectual protection of sheep from injury by dogs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Prince introduced a bill entitled "An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justice courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sherwood introduced a bill entitled "An act to amend an act entitled 'An act to authorize the Binghamton, Dashore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chenango canal extension which lies south of the Susquehanna river,' passed June 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Witbeck introduced a bill entitled "An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Burtis introduced a bill entitled "An act for the relief of the Cypress Hills cemetery, and authorizing its incorporation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act relating to courts of record," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the aid and support of the poor in the various counties of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the general terms of the supreme court," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to consolidate the two jury districts of the county of Oswego, New York, so far as relates to the drawing of grand and petit jurors," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to confer additional powers upon surrogates, and to authorize an examination as to the effects of deceased persons,' passed April 27, 1870," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to convey to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,' passed April 13, 1860, and the acts amendatory thereof," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to legalize and confirm the official acts of William Burr, a justice of the peace in the town of Lindley, in Steuben county, and to enable him to take and file his oath of office," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Pierson, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Barkley
Beach

Ely
Farrar
Fay

Krack
Kshinka
Lawson

Schieffelin
Schuyler
Scudder

Benedict	Fish	Lewis	Seward.
Berry	Fream	Mackin	Shattuck
Bishop	Friend	Merwin	Sheil
Braman	Gallagher	J. W. Miller	Silverman
Brogan	Gedney	Oakley	Slingerland
Brown	Green	O'Keefe	Smith
Calkins	Griffin	Page	Speaker
T. J. Campbell	Hanrahan	Petty	Stacy
Christopher	Hauschel	Pierson	Stauf
Clark	Hess	Pope	Stephens
Coffey	Hinckley	Prince	Struble
Comstock	Holmes	Ransom	Vosburgh
Cooke	Houghton	Reilly	Wellington
Daly	Hussey	Rich	West
Decker	Husted	Roscoe	Whitmore
Dessar	W. Johnson	Russell	Willis
Edson	Kennaday	Schenck	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate returned the Senate bill entitled "An act further to amend chapter 204 of the Laws of 1864, entitled 'An act to amend and consolidate the several acts relating to the village of Lansingburgh,'" with a message informing of concurrence in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act for the better protection of human life at public watering or bathing places," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this State,' passed April 18, 1859," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was recommitted the bill entitled "An act to provide for the incorporation of boards of trade," retaining its place on general orders, reported in favor of the passage of the same, with section 10 restored, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was recommitted the bill entitled "An act to amend chapter 252 of the Laws of 1857, entitled 'An act to incorporate the Genesee Camp Ground Association,' passed April 6, 1857, and also to amend chapter 85 of the Laws of 1859, being an act amendatory thereto, passed March 31, 1859," retaining its place on general orders, reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act for the re-organization and re-incorporation of Camp Ground Associations," which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill entitled "An act to permit companies or corpo-

rations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill entitled "An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill entitled "An act to enable the Charity Foundation of the Protestant Episcopal Church, in the city of Buffalo, to sell and convey certain lands," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act for the repaving of Second avenue, between Fourteenth and Forty-second streets, in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the memorial of citizens of Utica relative to western boundary thereof, reported a bill entitled "An act to extend the boundaries of the city of Utica westerly," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Daly, said bill was recommitted to the committee on affairs of cities.

On motion of Mr. Daly, the committee on affairs of cities was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway for the purpose of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874," and said bill referred to the committee on railroads.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schuyler, from the committee on banks, introduced a bill entitled "An act to conform the charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

On motion of Mr. Schuyler 300 extra copies of said bill were ordered printed.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill entitled "An act to further extend the provisions of the act entitled 'An act for the better security of mechanics and others erecting buildings and other structures in the several counties of this State, except the county of Erie and the city and county of New York,' and the several amendments thereto," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to further extend the provisions of the act entitled 'An act for the better security of mechanics and others erecting buildings in the several counties of this State, and the several amendments thereto,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill entitled "An act in relation to the licensing of persons to take charge of stationary steam boilers in the State of New York, except in the Metropolitan police district, and to repeal chapter 969 of the Laws of 1867, in relation to the inspection of steam boilers in this State, except in the Metropolitan police district," reported adversely thereto, which report was agreed to.

Mr. G. Taylor, from the committee on public education, to which was referred the bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was recommitted the bill entitled "An act to amend an act to provide for the the care of the lands and buildings known as Washington's Headquarters in the city of Newburgh, and the property connected therewith," passed May 11, 1874, chapter 426," retaining its place on general orders, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act for the relief of the town of Corinth, in the county of Saratoga, and Luzerne, in the county of Warren, and to contribute toward the building of a bridge across the Hudson river at Jessup's Landing, between said counties of Saratoga and Warren," reported adversely thereto, which report was agreed to.

Mr. Waehner moved that when this House adjourns to-day, it adjourn to meet on Monday evening at 7½ o'clock P. M.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 61 }
{ NOES 40 }

Those who voted in the affirmative, were

Barkley
Benedict
Berry
Bishop
Braman

Faulkner
Fay
Fream
Gallagher
Green

Lewis
Mackin
McAfee
McGowan
Merwin

Seward
Shattuck
Sherwood
Sheil
Silverman

Broas	Griffin	J. W. Miller	Slingerland
Brogan	Holmes	W. Miller	Stauf
T. C. Campbell	Houghton	Muller	Stephens
T. J. Campbell	Husted	Oakley	Struble
Christopher	W. Johnson	O'Keefe	Talmage
Cole	Kennaday	Page	W. F. Taylor
Comstock	Kirk	Pierson	Vosburgh
Cooke	Krack	Pope	Waehner
Daly	Kshinka	Rich	Whitmore
Ely	Lawson	Roscoe	Witbeck
Farrar			

Those who voted in the negative, were

Alvord	Davis	Hess	Russell
Barrow	Decker	Hinckley	Schieffelin
Beach	Dessar	Hussey	Schuyler
Bowen	Edson	W. A. Johnson	Scudder
Brown	Fish	Keenan	Smith
Burtis	Gedney	Lincoln	Speaker
Clark	Hammond	Petty	Stacy
Cleary	Hanrahan	Prince	G. Taylor
Coffey	Hauschel	Ransom	Vedder
Costigan	Hepburn	Reilly	Willis

Mr. Silverman moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Thereupon, at 1 o'clock and 25 minutes, the House adjourned.

MONDAY, MARCH 1, 1875.

The House met pursuant to adjournment.

Mr. Waehner in the chair.

Prayer by the Rev. F. R. Morse.

The journal of Friday, February 26, was read and approved.

The Senate returned the concurrent resolution of the Senate in relation to printing 2,500 copies of the report of the Western House of Refuge, with a message informing of agreement to the report of the committee of conference thereon.

Ordered, That the Clerk return said resolution to the Senate.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to incorporate the Twelfth Ward Savings Bank in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Kshinka introduced a bill entitled "An act to amend sections 48 and 49 of article 2, title 3, chapter 6, part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, the bill entitled "An act to amend section 42 of chapter 3 of

part 2 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Vosbough introduced a bill entitled "An act to release to Mary H. Halsted certain real estate in the city of Albany, and also all the personal property of which Louisa Elizabeth Wright, lately her aunt-in-law, died seized and possessed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Mr. T. C. Campbell introduced a bill entitled "An act in relation to Riverside avenue and park in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord introduced a bill entitled "An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Daly introduced a bill entitled "An act to provide public lodging houses in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Prince introduced a bill entitled "An act for the prevention of adulteration of food, drink and drugs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

On motion of Mr. Prince said bill was ordered printed.

Mr. Hanschel introduced a bill entitled "An act to repeal chapter 270 of the Laws of 1829, entitled 'An act for the prevention of masquerades,' passed April 25, 1829," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond introduced a bill entitled "An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Struble introduced a bill entitled "An act to provide district attorneys with rooms, fuel, lights and stationery for the transaction of official business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted presented a petition from the Produce Exchange for the disposal of the lateral canals and reduction in tolls; which was read and referred to the committee on canals.

Messrs. Seward and Cleary presented petitions of citizens of New York and Troy, asking for a reduction of tolls on the canals; which were read and referred to the committee on canals.

Mr. Seward presented a petition of truckmen of the city of New York for an asphalt pavement in Fifth avenue; which was read and laid on the table.

Mr. Slingerland presented a remonstrance of fifty citizens of Albany against any amendments to the Albany and Greenbush Bridge charter;

which was read and referred to the committee on commerce and navigation.

Mr. Hauschel offered for the consideration of the House a resolution, in the words following:

Whereas, It appears from the annual report of the Board of Commissioners of Emigration that there has been a large decrease in the number of immigrants arrived in the port of New York during the year 1874, as compared with former years, and that there is at present a deficiency in the treasury of the said board, calling for an appropriation of \$300,000; and,

Whereas, It has been frequently alleged and is currently reported that such decrease and deficiency are in part owing to the mismanagement and extravagance of the said board; therefore,

Resolved, That the committee on commerce and navigation of this House be instructed to ascertain and report the amount of head-money received by said Board since its organization in the year 1873, as well as other receipts, appropriations and expenditures; also, the number and names of employees, with the date and reason of their appointment and discharge, and the amount of salary paid to each; and also to investigate the general management of said board.

Resolved, That said committee have power to send for persons and papers.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

On motion of Mr. T. C. Campbell, the bill entitled "An act to provide for the aid and support of the poor in the various counties of this State," was recommitted to the committee on the judiciary, retaining its place on general orders.

Mr. Alvord called from the table the resolution previously offered by him, in the words following:

Whereas, By the terms of a contract made December 28, 1871, between George Worthington and the commissioners of the Elmira Reformatory, the sum of \$6,811.83 was retained by said commissioners, being fifteen per cent on the amount of estimates for materials furnished for said building, and which amount has been certified as due and unpaid by said commissioners in their report to the Legislature dated January 8, 1875; and,

Whereas, The said commissioners were, by chapter 323 of the Laws of 1874, removed from office and a superintending builder was appointed; and,

Whereas, Doubt exists as to the power to pay said sum; therefore,

Resolved (if the Senate concur), That the Comptroller be directed to issue his warrant for the payment of the said sum of \$6,811.83 to the said George Worthington.

Mr. T. J. Campbell moved to lay said resolution on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Costigan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be requested to draft a bill making suitable provisions for the support of the destitute blind in the city of New York, for whom there is no suitable accommodation in the public institutions.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

On motion of Mr. Daly the bill entitled "An act for the repaving of Second avenue, between Fourteenth street and Forty-second street, in the city of New York," was recommitted to the committee on affairs of cities, retaining its place on general orders.

On motion of Mr. Dessar the committee on general laws was discharged from the present consideration of the bill entitled "An act to facilitate the construction of railways for the rapid transit of passengers and freight within the cities of this State," and said bill ordered printed and recommitted to the committee on general laws.

On motion of Mr. Husted, the bill entitled "An act to extend the charter of the Richmond County Mutual Insurance Company, and to restrict its operations to the county of Richmond," also the bill entitled "An act to continue and extend the charter of the Dutchess County Mutual Insurance Company," were recommitted to the committee on insurance, retaining their place on general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the incorporation of boards of trade."

"An act to amend an act to provide for the care of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith, passed May 11, 1874, chapter 426."

"An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Burtis, from said committee, reported in favor of the passage of said first and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Burtis, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Speaker presented the annual report of the State Engineer and Surveyor on Railroads; which was laid on the table and ordered printed.

(*See Doc. No. .*)

By unanimous consent, Mr. Waehner introduced a bill entitled "An act relating to armories in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord moved a call of the roll.

Mr. T. J. Campbell moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 27 }
{ NOES 29 }

Those who voted in the affirmative, were

Barkley	Dessar	W. A. Johnson	Schieffelin
Beach	Ely	Keenan	Sheil
T. C. Campbell	Fish	Kirk	Smith
T. J. Campbell	Griffin	Kshinka	Stacy

Christopher	Hammond	Lewis	Waehner
Cooke	Hauschel	Merwin	West
Costigan	Holmes	Ransom	

Those who voted in the negative, were

Alvord	Farrar	Husted	Scudder
Barrow	Gallagher	Lillybridge	Seward
Bordwell	Green	McAfee	Struble
Burtis	Hepburn	Peck	Tewksbury
Comstock	Hess	Prince	Vedder
Daly	Hinckley	Russell	Vosburgh
Davis	Hussey	Schuyler	Yost
Edson			

Upon the call of the roll on the motion to adjourn, it being ascertained that no quorum was present, the Chair declared the House adjourned.

TUESDAY, MARCH 2, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Charles Reynolds.

The journal of yesterday was read and approved.

Leave of absence was granted to Mr. Faulkner until Thursday, and to Messrs. Cook, Lincoln and Wetherbee indefinitely.

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bills entitled as follows:

“An act to repeal chapter 30 of the Laws of 1853, entitled ‘An act to consolidate road districts 18 and 19, in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,’ passed March 14, 1853, and all acts in addition to and amendatory thereof.”

“An act to further amend an act entitled ‘An act for the incorporation of villages,’ passed April 20, 1870.”

Senate, “An act to amend an act entitled ‘An act to establish regulations for the port of New York,’ passed April 16, 1857.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Seward, from said committee, reported in favor of the passage of said first and second mentioned bills, the second mentioned with amendments, and the title amended by striking out the words “an act,” in line 1, after the word “amend,” and inserting in lieu thereof the words “chapter 291 of the Laws of 1870,” and by striking out all after the word “villages;” which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Seward, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by striking out the words “an act,” in line 1, after the word “amend,” and inserting in lieu thereof the words “chapter 671 of the Laws of 1857,” and by striking out all after the words “New York,” and insert-

ing before the word "to," line 1, the word "further;" which report was agreed to, and said bill ordered to a third reading.

Mr. Hauschel moved that the bill as amended be ordered printed, retaining its place on the calendar of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Ransom, the committee of the whole were discharged from the further consideration of the bill entitled "An act for the relief of George Jones and Harvey Booth," and the same recommit-
ted to the committee on claims.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to railroad corporations."

"An act to amend an act entitled 'An act relative to the Metropolitan Drawing Room Car Company,' passed May 10, 1874."

"An act to provide for the support of government."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. J. Campbell, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. T. J. Campbell, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by striking out the words "an act" in line 1, after the word "amend," and inserting in lieu thereof the words "chapter 433 of the Laws of 1874;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. T. J. Campbell, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Hepburn moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to authorize a tax to be levied upon the town of Potsdam to build a town house," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. T. J. Campbell, at 2 o'clock and 15 minutes, the House adjourned.

WEDNESDAY, MARCH 3, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Schlesinger.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend section 1 of chapter 261 of the Laws of 1874, entitled 'An act to amend an act entitled An act to enable resident aliens to hold and convey real estate, and for other purposes, passed April 30, 1845,' passed April 27, 1874."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to release certain lands which have escheated to the state to Eliza Blain, widow of John Blain, late of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to incorporate the Buffalo Exchange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to appoint a reporter of the decisions of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 16, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to provide for a better system of records of the inmates of poor-houses and alms-houses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Speaker presented the report of the Wyoming Benevolent Institute; which was laid on the table and ordered printed.

(See Doc. No. 86.)

Also, the report of the Board of Commissioners of Pilots; which was laid on the table and ordered printed.

(See Doc. No. 85.)

The privileges of the floor were extended to Messrs. Clausen, Van Duzen, McCabe, Butterfield and Spriggs.

Leave of absence was granted to Mr. Bradley for an indefinite period.

The Senate returned the bill entitled "An act in relation to the census or enumeration of the inhabitants of this State," with a message informing of concurrence in the passage of the same, with the following amendment:

Section 2, line 9, strike out the word "Marshall" and insert in lieu thereof the word "enumerator."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Scudder
Barkley	Dessar	Kshinka	Seward
Barrow	Edson	Law	Sherwood
Beach	Farrar	Lewis	Sheil
Bennett	Fish	Lillybridge	Stacy
Berry	Fream	Mackin	Stauf
Bishop	Friend	McGowan	Stephens
Bordwell	Gallagher	McGroarty	Talmage
Bowen	Gedney	Merwin	G. Taylor
Broas	Green	W. Miller	Tewksbury
Brown	Griffin	Muller	Tremain
Burtis	Hammond	Oakley	Vosburgh
T. C. Campbell	Hauschel	O'Keefe	Wellington
T. J. Campbell	Hepburn	Page	Wenzel
Christopher	Hess	Prince	West
Clark	Holmes	Rich	Willis
Cole	Hussey	Roscoe	Witbeck
Costigan	Ives	Sanford	Worth
Daggett	W. A. Johnson	Schieffelin	Wurts
Daly	Kirk	Schuyler	Yost
Davis			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," with a message informing that they had passed the same, with the following amendment:

Section 20, line 14, engrossed bill, after the word "acts" strike out the words "the city attorney," and insert in lieu thereof the words "either party."

The amendment having been read,

Mr. G. Taylor moved that the House do non-concur in the amendments of the Senate, and that a committee of conference be appointed on the part of the House and a like committee be requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. G. Taylor, McGowan, Schieffelin, Stacy and Russell were appointed as such committee.

Ordered, That the Clerk return said bill to the Senate, with a message informing of non-concurrence in their amendments, and request a committee of conference thereon.

The Senate returned the bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the

payment of the expenses thereof," with a message informing that they had passed the same, with the following amendments:

Section 1, line 1, strike out the words "two and."

Line 12, strike out the word "are" and insert the word "is."

Strike out lines 13 to 35, both inclusive.

Line 46, strike out the word "seven" and insert the word "six."

Line 61, after the word "each" insert the words "to the clerk of the committee of ways and means of the Assembly and the clerks of the committees on finance and judiciary of the Senate, to each of them six dollars per day."

Same line, after the word "the," second occurring, insert the word "other."

Line 62, strike out the word "three" and insert the words "of each House to be appointed by the presiding officer of each House two."

Line 65, after the word "day" strike out down to and including the word "days" in line 74, and insert the following: "And there shall be paid for attendance at any extra session of the Legislature, to the Clerks of each House, each twenty dollars per day; the assistant clerks and journal clerks, each fifteen dollars per day; to the deputy clerks, each twelve dollars per day; and to the other employees of the Senate and Assembly the same per diem compensation respectively as for the annual session."

Line 81, strike out the words "the annual" and insert the words "an extra."

Line 82, after the word "Legislature" insert the words "as herein provided."

Line 97, after the word "law" strike out down to and including line 100.

Line 109, strike out the word "the" and insert the word "this."

Insert as section 2 the following:

"§ 2. No fee, per diem compensation or mileage shall be allowed to any officer of either branch of the Legislature for or on account of his attendance upon the opening of the next succeeding session of said body, except to the Clerk, journal clerk, sergeant-at-arms, postmaster and librarian of the Senate and Assembly, and the door-keeper and first assistant door-keeper, and four pages in the Senate, and three assistant door-keepers, two messengers and six pages in the Assembly. The presiding officers of the respective Houses shall designate which pages of the Senate, and which assistant door-keepers, pages and messengers of the Assembly may attend upon the organization of the next Legislature. Such designation shall be so made before the close of the session, and be entered upon the journals of the respective Houses. Said officers named in this section, who shall serve at the opening of the next session of the Legislature as aforesaid, shall receive the same rate of compensation during each day's service, and mileage, as they were entitled by law to receive for like services at the preceding session of the Legislature."

Change "§ 2" to "§ 3."

The amendments having been read,

Mr. Hammond moved that the House do non-concur in the amendments of the Senate to the foregoing entitled bill, and that a committee of conference be appointed on the part of the Assembly, and a like committee requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Hammond, Vosburgh, W. Johnson, Alvord and Husted were appointed such committee.

Ordered, That the Clerk return said bill to the Senate, with a message informing of non-concurrence in their amendments, and request a committee of conference thereon.

Mr. Sherwood introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hussey introduced a bill entitled "An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet, in the town of Summer Hill, in the county of Cayuga," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Edson introduced a bill entitled "An act in relation to the overseers of the poor in the several counties of the State wherein no distinction exists between town and county poor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act for the preservation of fish in Chautauqua lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hinckley introduced a bill entitled "An act to amend section 15 of article 1 of chapter 3 of part 1 of the Revised Statutes, relative to the paying over of moneys by the collectors of taxes in the several towns of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Holmes introduced a bill entitled "An act to authorize the railroad commissioners of the town of Afton to pay over certain moneys in their hands to the supervisor of the town for the benefit of said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition and resolution on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act for the regulation of the opening and closing of the swing bridges on the several canals of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Willis introduced a bill entitled "An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ransom introduced a bill entitled "An act creating a canal contracting board, defining its powers and duties, and certain duties and powers of the State Engineer and Surveyor and division engineer, and providing the appointment of resident engineers, superintendent of canal repairs and other employees, and for their removal," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. G. Taylor introduced a bill entitled "An act to amend an act entitled 'An act to amend the several acts relating to the city of Rochester,' passed May 20, 1872," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. G. Taylor, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kennaday	Schnyler
Barkley	Edson	Krack	Scudder
Beach	Ely	Kshinka	Seward
Beardsley	Fish	Law	Sheil
Benedict	Fream	Lawrence	Smith
Bennett	Friend	Lawson	Speaker
Berry	Gedney	Lillybridge	Stacy
Bishop	Green	Mackin	Stauf
Bordwell	Griffin	McGowan	Stephens
Bowen	Hammond	Merwin	Talmage
Broas	Hanrahan	J. W. Miller	G. Taylor
Brogan	Hauschel	Muller	W. F. Taylor
Brown	Hepburn	Oakley	Tewksbury
T. C. Campbell	Hess	O'Keefe	Tremain
T. J. Campbell	Hinckley	Page	Vosburgh
Christopher	Holmes	Peck	Waehner
Clark	Houghton	Prince	Wellington
Coffey	Hussey	Ransom	Wenzel
Cole	Husted	Reilly	West
Comstock	Ives	Rich	Willis
Daggett	W. Johnson	Roscoe	Worth
Daly	W. A. Johnson	Sanford	Wurts
Decker	Keenan	Schieffelin	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. T. J. Campbell introduced a bill entitled "An act in relation to the department of docks in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Seward introduced a bill entitled "An act to authorize the Regents of the University to institute certain examinations and in regard to conferring degrees," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Daly introduced a bill entitled "An act to prevent injury to animals in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Muller introduced a bill entitled "An act conferring upon the police commissioners and police officers in the city of New York exclusive power to make arrests for certain misdemeanors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stauff introduced a bill entitled "An act in relation to life insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. McGowan introduced a bill entitled "An act to regulate coroners' inquests in the various counties of the State of New York, and to amend the previous acts in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, the bill entitled "An act to extend the time for the completion of the organization of companies heretofore incorporated," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Bordwell introduced a bill entitled "An act in relation to parsonages in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Barrow introduced a bill entitled "An act to further provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Hammond introduced a bill entitled "An act to incorporate united medical societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Green, in behalf of Mr. Wetherbee, introduced a bill entitled "An act to amend section 1 of title 6 of an act entitled 'An act to reorganize the village of Medina,' passed February 28, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a resolution on the same subject; which was read and referred to the same committee.

Mr. Stephens introduced a bill entitled "An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to fix the fees of justices of the peace in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Sanford introduced a bill entitled "An act to legalize and authorize the town of Massena, in the county of St. Lawrence, to raise money to aid in repairing and putting Massena spring in good condition," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Bishop introduced a bill entitled "An act to allow the Skinners,

Eddy and Little Meadows Railroad Company to extend their road and occupy the berme bank of the Chenango canal extension for railroad purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Krack introduced a bill entitled "An act to abolish the office of district school commissioner in the several counties of this State, and to elect a county school superintendent," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Griffin introduced a bill entitled "An act to authorize the village of Glens' Falls to borrow money and issue bonds for the purpose of increasing its supply of water and extending its water-works," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to regulate the practice of pharmacy and the sale of poisons in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Russell introduced a bill entitled "An act to legalize the acts of the officers of the village of Newark," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. J. W. Miller introduced a bill entitled "An act to confirm the title of certain lands situate in the city of Newburgh, to the grantees and heirs-at-law of Francis Wilson (alien), late of said city, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, presented papers on the same subject; which was read and referred to the same committee.

Mr. O'Keefe introduced a bill entitled "An act to improve Second street and Norman avenue, also to grade and pave Third street and Nassau avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled "An act in relation to the manufacture, storage, keeping and sale of combustible material in the city of Brooklyn, and imposing certain powers and duties upon the board of fire commissioners in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Kennaday introduced a bill entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Coffey introduced a bill entitled "An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof, passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Waehner, from the committee on the judiciary, to which was

referred the bill entitled "An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York, in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and providing for payment for the publication of such notices," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act in relation to the eligibility of electors of towns owning stocks of railway companies to be directors of such companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the transfer of moneys held in trust to non-resident guardians and others, and to repeal chapter 59 of the Laws of 1870," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,' reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act to protect purchasers on sales of real estate of infants, by special guardian, prior to January 1, 1852,' passed May 6, 1872," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to authorize the election of a police justice in the village of Wolcott, Wayne county, New York," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend section 8 of chapter 8, title 15, part 3 of the Revised Statutes, in relation to the foreclosure of mortgages by advertisement," reported adversely thereto, which report was agreed to.

On motion of Mr. Waehner,

Resolved, That the committee on the judiciary be discharged from the further consideration of the Assembly bill, Int. No. 194, introduced by Mr. Lincoln, entitled "An act to amend chapter 244 of the Laws of 1862, entitled 'An act to provide for taxing dogs, and for the collection of such tax, and to create a fund to pay for injuries upon sheep occasioned by dogs,' passed April 15, 1862," and that the same be referred to the committee on internal affairs.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to repeal chapter 645 of the Laws of 1873, passed May 29, 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to repeal chapter 234 of the Laws of 1874, relating to an armory site for the Seventh regiment," reported adversely thereto, which report was agreed to.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill entitled "An act to enable the city and county of New York to provide for erection of an armory and drill rooms upon the plot of ground which has been leased to the Seventh regiment of the National Guard of the State of New York for military purposes, pursuant to chapter 234 of Laws of 1874," reported adversely thereto, which report was agreed to.

Mr. Schuyler, from the committee on banks, introduced a bill entitled "An act to prevent individuals and corporations from doing business under names indicating that they are incorporated banks or banking institutions," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Schuyler, from the committee on banks, to which was referred the bill entitled "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schuyler, from the committee on banks, to which was referred the bill entitled "An act to amend and supplementary to an act entitled 'An act to incorporate the Mutual Trust Institution of New York,' passed April 4, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was recommitted the bill entitled "An act to amend an act entitled 'An act

to incorporate the village of Port Chester,' passed May 14, 1868," retaining its place on general orders, reported in favor of the passage of the same, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,' passed February 15, 1872," reported in favor of the passage of the same, with the title amended so as to read "An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for mapping and establishment of lines and grades for the streets and public places in said village,' passed April 18, 1872," reported in favor of the passage of the same, with the title amended so as to read "An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and repeal its present charter,'" reported adversely thereto, which report was agreed to.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing 2,000 copies of the report of the New York Institution for the Blind, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That 2,000 copies of the report of the New York State Institution for the Blind be printed for the use of the trustees of said institution.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing 2,000 extra copies of the pamphlet relating to pauper and destitute children, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That 2,000 extra copies of the pamphlet relating to pauper and destitute children, by Wm. P. Letch-

more, being an extract from the eighth annual report of the State Board of Charities, be printed for the use of the board.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing 2,000 copies of the pamphlet relating to out-door relief, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur); That 2,000 extra copies of the pamphlet relating to out-door relief, by Martin B. Anderson, being an extract from the eighth annual report of the State Board of Charities, be printed for the use of the board.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill entitled "An act to release to Patrick J. Wallace, as executor of Ann Hanlon, deceased, the real estate of which Edward Brown died seized," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on petitions of aliens, to which was referred the Senate bill entitled "An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to provide for the incorporation of boards of trade."

"An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof."

"An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts 18 and 19 in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof."

"An act further to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages.'"

"An act to amend chapter 433 of the Laws of 1874, entitled 'An act relative to the Metropolitan Drawing-room Car Company,' passed March 10, 1874."

"An act to authorize a tax to be levied upon the town of Potsdam to build a town house."

"An act to provide for the support of government."

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties," reported in favor of the passage of the same, with

amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stauf moved to reconsider the vote agreeing to the adverse report of the committee on affairs of cities on the bill entitled "An act to repeal chapter 234 of the Laws of 1874, relating to an armory site for the Seventh regiment."

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Worth moved to recommit said bill to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Vosburgh, Seward, Prince and Wetherbee presented petitions of citizens for the reduction of tolls on the canals; which was read and referred to the committee on canals.

Mr. Petty presented a remonstrance against the passage of Assembly bill No. 54, entitled "An act for the protection of fish in the State of New York;" which was read and referred to the committee on internal affairs.

Mr. Wurts presented a petition of citizens for the passage of the act relating to the catching of fish in the Wallkill river; which was read and referred to the committee on internal affairs.

Mr. Witbeck presented a remonstrance of citizens of East Greenbush, Nassau and East Nassau against any amendment to the Albany and Greenbush bridge charter; which was read and referred to the committee on commerce and navigation.

Mr. Gallagher presented remonstrances of citizens of the city of New York and the county of Cayuga against granting to the Union Ferry Company the right to acquire the slips from pier 1 to pier 4, East river; which was read and referred to the committee on commerce and navigation.

Mr. Costigan presented a petition of Peter Spragg and others, destitute blind of the city of New York, for relief; which was read and referred to the committee on general laws.

Mr. Seward presented a petition of citizens of New York for an asphalt pavement on Fifth avenue; which was read and laid on the table.

By unanimous consent, Mr. Worth introduced a bill entitled "An act to amend an act entitled 'An act to authorize the South Side Railroad Company of Long Island, to build or purchase branches, extend its main line, and to purchase the stock of the New York and Flushing Railroad Company, the Far Rockaway Branch Railroad Company, and Rockaway Railway Company of Queens county, New York, and of the Hunter's Point and South Side Railroad Company, also of Queens county, New York, and to consolidate the said companies, or any two or more of them, into one corporation, and to use steam dummies,' passed May 31, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Russell moved to discharge the committee on the judiciary from the further consideration of the bill entitled "An act to legalize the acts of the officers of the village of Newark," and that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Ordered, That said bill be engrossed and to a third reading.

Mr. Page offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That there be printed for the use of the State Engineer's department 750 additional copies, bound in cloth, of the State Engineer and Surveyor's report on the canals for the fiscal year ending September 30, 1874

Ordered, That said resolution be referred to the committee on public printing.

Mr. Alvord called from the table the resolution previously offered by him, in the words following :

Whereas, By the terms of a contract made December 28, 1871, between George Worthington and the commissioners of the Elmira Reformatory, the sum of \$6,811.83 was retained by said commissioners, being fifteen per cent on the amount of estimates for materials furnished for said building, and which amount has been certified as due and unpaid by said commissioners in their report to the Legislature dated January 8, 1875 ; and,

Whereas, The said commissioners were, by chapter 323 of the Laws of 1874, removed from office and a superintending builder was appointed ; and,

Whereas, Doubt exists as to the power to pay said sum ; therefore,

Resolved (if the Senate concur), That the Comptroller be directed to issue his warrant for the payment of the said sum of \$6,811.83 to the said George Worthington.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Hauschel called from the table the resolution previously offered by him, in words following :

Whereas, It appears from the annual report of the Board of Commissioners of Emigration that there has been a large decrease in the number of immigrants arrived in the port of New York during the year 1874, as compared with former years, and that there is at present a deficiency in the treasury of the said board, calling for an appropriation of \$300,000 ; and,

Whereas, It has been frequently alleged and is currently reported that such decrease and deficiency are in part owing to the mismanagement and extravagance of the said board ; therefore,

Resolved, That the committee on commerce and navigation of this House be instructed to ascertain and report the amount of head-money received by said Board since its organization in the year 1873, as well as other receipts, appropriations and expenditures ; also, the number and names of employees, with the date and reason of their appointment and discharge, and the amount of salary paid to each ; and also to investigate the general management of said board.

Resolved, That said committee have power to send for persons and papers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative.

{ AYES 53 }
{ NOES 53 }

Those who voted in the affirmative, were

Barkley	Coffey	Ives	Rich
Barrow	Cole	Keenan	Schieffelin
Beach	Costigan	Kirk	Schuyler
Beardsley	Daly	Krack	Scudder
Bennett	Davis	Kshinka	Sheil
Berry	Dessar	Lawrence	Silverman
Broas	Ely	Lillybridge	Smith
Brogan	Fish	McGowan	Stauf
Brown	Friend	Merwin	Talmage
T. C. Campbell	Hammond	O'Keefe	G. Taylor
T. J. Campbell	Hanrahan	Page	Vosburgh
Christopher	Hauschel	Ransom	Wenzel
Clark	Holmes	Reilly	Wurts
Cleary			

Those who voted in the negative, were

Alvord	Hepburn	J. W. Miller	Stacy
Benedict	Hess	Muller	Stephens
Bishop	Hinckley	Oakley	Struble
Bordwell	Houghton	Peck	W. F. Taylor
Bowen	Hussey	Petty	Tewksbury
Burtis	Husted	Pope	Tremain
Comstock	W. A. Johnson	Prince	Vedder
Daggett	Kennaday	Roscoe	Waehner
Decker	Law	Sanford	Wellington
Farrar	Lawson	Seward	West
Fream	Mackin	Sherwood	Willis
Gallagher	McAfee	Slingerland	Witbeck
Gedney	McGroarty	Speaker	Worth
Green			

Pending the call, Mr. Clark asked to be excused from voting.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

Mr. Hauschel moved to reconsider the vote just taken.

Mr. Husted moved to lay that motion on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the negative.

{ AYES 54 }
{ NOES 54 }

Those who voted in the affirmative, were

Alvord	Green	J. W. Miller	Struble
Barrow	Hepburn	Muller	W. F. Taylor
Bishop	Hess	Peck	Tewksbury
Bordwell	Hinckley	Petty	Tremain
Bowen	Houghton	Pope	Vedder
Burtis	Hussey	Prince	Waehner
Comstock	Husted	Russell	Wellington

Daggett	W. A. Johnson	Sanford	West
Decker	Kennaday	Seward	Willis
Farrar	Law	Sherwood	Witbeck
Fish	Lawson	Slingerland	Worth
Fream	Mackin	Stacy	Wurts
Gallagher	McAfee	Stephens	Yost
Gedney	McGroarty		

Those who voted in the negative, were

Barkley	Coffey	Keenan	Roscoe
Beach	Cole	Kirk	Schieffelin
Beardsley	Costigan	Krack	Schuyler
Benedict	Daly	Kshinka	Scudder
Bennett	Davis	Lawrence	Sheil
Berry	Dessar	Lillybridge	Silverman
Broas	Edson	McGowan	Smith
Brogan	Ely	Merwin	Speaker
Brown	Friend	O'Keefe	Stauf
T. C. Campbell	Hammond	Page	Talmage
T. J. Campbell	Hanrahan	Ransom	G. Taylor
Christopher	Hauschel	Reilly	Vosburgh
Clark	Holmes	Rich	Wenzel
Cleary	Ives		

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hauschel, and it was determined in the affirmative.

{ AYES 54 }
{ NOES 53 }

Those who voted in the affirmative, were

Barkley	Coffey	Ives	Rich
Barrow	Cole	Keenan	Schieffelin
Beach	Costigan	Kirk	Schuyler
Beardsley	Daly	Krack	Scudder
Bennett	Davis	Kshinka	Sheil
Berry	Dessar	Lawrence	Silverman
Broas	Edson	Lillybridge	Smith
Brogan	Ely	McGowan	Stauf
Brown	Friend	Merwin	Talmage
T. C. Campbell	Griffin	O'Keefe	Vosburgh
T. J. Campbell	Hammond	Page	Wenzel
Christopher	Hanrahan	Ransom	Witbeck
Clark	Hauschel	Reilly	Wurts
Cleary	Holmes		

Those who voted in the negative, were

Alvord	Hess	Muller	Stacy
Benedict	Hinckley	Oakley	Stephens
Bishop	Houghton	Peck	Struble
Bordwell	Hussey	Petty	W. F. Taylor
Bowen	Husted	Pope	Tewksbury
Burtis	W. A. Johnson	Prince	Tremain
Comstock	Kennaday	Roscoe	Vedder
Daggett	Law	Russell	Waehner

Decker	Mackin	Sanford	Wellington
Farrar	McAfee	Seward	West
Fream	McGroarty	Sherwood	Willis
Gedney	J. W. Miller	Slingerland	Worth
Green	W. Miller	Speaker	Yost
Hepburn			

Mr. Alvord moved to amend said resolution as follows:

"The committee are hereby expressly forbidden to employ any stenographer, clerk, messenger, page or attorney, and shall hold their meetings either in Castle Garden while in New York, or in an Assembly committee room here, all without any expense to the State, and shall report the result of its labors to this House within two weeks from this date."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to amend an act entitled 'An act to amend the several acts relating to the city of Rochester,' passed May 20, 1872."

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That there be printed and bound in cloth, under the direction of the State Engineer and Surveyor, the following number of copies of the report on railroads for the year ending September 30, 1874: For each Senator, member, officer and reporter of the Senate and Assembly, ten (10) copies, and for the State Engineer and Surveyor, two thousand four hundred (2,400) copies; the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller on the several railroad companies of this State.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved, That hereafter a session of the House be held on each Tuesday and Thursday evening, at half-past seven o'clock, for the consideration of general orders only, commencing on Thursday evening next.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Waehner,

Resolved, That all bills amendatory of existing statutes reported to the Assembly be so printed that each section shall show in italics the precise language of each proposed amendment.

Mr. Struble called from the table the resolution previously offered by him, in the words following:

Resolved, That the committee on railroads be and they are hereby instructed to report the bill entitled "An act to regulate freights on railroads," within one week from this date.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The bill entitled "An act to provide for the incorporation of boards of trade," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. Johnson	Scudder
Barkley	Decker	W. A. Johnson	Seward
Barrow	Dessar	Keenan	Sherwood
Beach	Edson	Law	Sheil
Benedict	Ely	Lawrence	Silverman
Berry	Farrar	Mackin	Speaker
Bishop	Fish	McAfee	Stauf
Bordwell	Friend	McGowan	Struble
Bowen	Gallagher	Merwin	Talmage
Broas	Gedney	J. W. Miller	G. Taylor
Brogan	Green	W. Miller	Tremain
Brown	Griffin	O'Keefe	Vosburgh
T. C. Campbell	Hammond	Peck	Wellington
T. J. Campbell	Hauschel	Prince	Wenzel
Christopher	Hepburn	Reilly	West
Clark	Hess	Roscoe	Willis
Cleary	Hinckley	Russell	Witbeck
Cole	Houghton	Sanford	Worth
Comstock	Husted	Schieffelin	Wurts
Costigan	Ives	Schuyler	Yost
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Gallagher	Lawson	Scudder
Barkley	Gedney	Lillybridge	Seward
Barrow	Green	Mackin	Sheil
Beach	Griffin	McAfee	Silverman
Benedict	Hammond	McGowan	Smith
Bishop	Hanrahan	McGroarty	Speaker
Bordwell	Hauschel	Merwin	Stauf
Bowen	Hepburn	W. Miller	Struble

Broas	Hinckley	Oakley	Talmage
Brogan	Holmes	O'Keefe	G. Taylor
Brown	Houghton	Page	Tewksbury
T. C. Campbell	Hussey	Peck	Tremain
Christopher	Husted	Prince	Wellington
Clark	Ives	Ransom	Wenzel
Comstock	W. A. Johnson	Reilly	West
Daggett	Keenan	Rich	Willis
Daly	Kennaday	Roscoe	Witbeck
Decker	Kirk	Russell	Worth
Edson	Kshinka	Sanford	Yost
Friend			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to legalize the acts of the officers of the village of Newark."

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend an act entitled 'An act to amend the several acts relating to the city of Rochester,' passed May 20, 1872."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled as follows:

"An act in relation to the census or enumeration of the inhabitants of this State."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill entitled "An act to amend chapter 79 of the Laws of 1835, entitled 'An act to incorporate the Ithaca Mechanics Society,'" with a message informing of concurrence in the amendments of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

On motion of Mr. Mackin, at 2 o'clock and 5 minutes, the House adjourned.

THURSDAY, MARCH 4, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Selkirk.

The journal of yesterday was read and approved.

The privileges of the floor were extended to Messrs. Sunderlin, Blakesley, Van Cott and McConnell.

Leave of absence was granted to Messrs. Daggett, Silverman and Vosburgh this evening, and to Messrs. Fay, Hogan, Lewis, Shattuck, W. F. Taylor and Whitmore indefinitely.

This being the day assigned by the rules for the consideration of general orders, the House resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873."

"An act to amend an act to provide for the care of the lands and

buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith,' passed May 11, 1874, chapter 426."

"An act to amend an act entitled 'An act empowering railroad companies to employ police force,' passed April 29, 1863, and the act amendatory thereof, passed March 30, 1866."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. McAfee, from said committee, reported in favor of the passage of said first and second mentioned bills, the second mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. McAfee, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 346 of the Laws of 1863," and by inserting the word "further" before the word "to," and striking out all after the word "force;" which report was agreed to, and said bill ordered engrossed and to a third reading.

On motion of Mr. Waehner, the bill entitled "An act in relation to evidence in certain suits in the city of New York," was recommitted to the committee on the judiciary, retaining its place on general orders.

On motion of Mr. Ransom, the bill entitled "An act for the relief of Jacob F. Graff," was recommitted to the committee on claims.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents."

Senate, "An act in relation to the reduction of the capital stock of banks, banking associations, individual bankers, and other moneyed corporations."

Senate, "An act to amend chapter 146 of the Laws of 1872, entitled "An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Brogan, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Brogan, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Brogan, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Alvord, and by unanimous consent,

Resolved, That the vote by which the report of the committee on the judiciary adverse to the Senate bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases,'" was agreed to, be reconsidered, and that the same be recommitted to the committee on the judiciary.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to railroad corporations."

"An act to provide for the appointment of a commission to investigate, consider and report upon the disposition to be made of the lateral canals."

"An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as Big Stream, where the same passes through the village of Dundee, in said town."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Stacy, from said committee, reported in favor of the passage of said bills, the first mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

On motion of Mr. Alvord,

Resolved, That a respectful message be sent to the honorable the Senate, requesting that body to return to this House the Senate bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases.'"

Mr. Waehner moved to lay the present order of business on the table for the purpose of taking up the orders of business introduction of bills and reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Wellington introduced a bill entitled "An act to amend section 20 of chapter 1121 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the protection of moose, wild deer, birds and fish,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Rich introduced a bill entitled "An act to amend section 1, title 1, chapter 20, part 1 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act entitled 'An act to provide for the support and care of State paupers,' passed June 7, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. W. F. Taylor introduced a bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Waehner introduced a bill entitled "An act authorizing the supervisors of the several counties in the third judicial district to appropriate and pay compensation to the justices of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another, upon application to the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Alvord introduced a bill entitled "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Christopher introduced a bill entitled "An act to amend an act entitled 'An act to alter the system of repairing the highways,' passed May 2, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Oakley introduced a bill entitled "An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Beledict introduced a bill entitled "An act to authorize the Canal Appraisers to examine the claim of the estate of John B. Sanders, deceased, for damages sustained in consequence of the erection of a dam on the Mohawk river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Petty introduced a bill entitled "An act to enable husbands and wives to testify for each other in criminal trials," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wenzel introduced a bill entitled "An act to incorporate Narrowsburgh Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Russell introduced a bill entitled "An act to amend chapter 644 of the Laws of 1873, entitled 'An act to amend an act entitled An act to repeal chapter 410 of the Laws of 1860, passed April 14, 1860, and chapter 303 of the Laws of 1861,' passed April 17, 1861, and to divide the crime of murder into two degrees, and to prescribe the punishment of arson,' passed April 12, 1862," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Clarke introduced a bill entitled "An act to amend chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York, also of Clyde and Seneca rivers, in the counties of Wayne and Cayuga, and to include the county of Seneca within the provisions thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Shiel introduced a bill entitled "An act to amend an act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York, passed May 23, 1873,' passed May 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Bowen introduced a bill entitled "An act to repeal an act entitled 'An act to amend an act entitled An act to confer additional powers upon the Metropolitan police, relating to the inspection of steam boilers, passed April 9, 1862,' also, to amend an act entitled 'An act in relation to the inspection of steam boilers, except in the Metropolitan district,' passed June 22, 1867, passed June 8, 1874," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. T. C. Campbell introduced a bill entitled "An act to authorize the formation of cremation societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to amend an act entitled 'An act for the incorporation of building, mutual loan and accumulating fund associations,' passed April 10, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Kennaday, from the committee on general laws, to which was referred the petition of tax-payers in the village of Tonawanda for an act requiring the board of excise to pay to the village treasurer all the money collected by the excise board of Tonawanda, reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act increasing the number of coroners in Queens county," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to provide for the organization and regulation of certain business corporations," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads, passed May 18, 1869," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same, over the Kill von Kull at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points, over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' passed May 26, 1873," reported in favor of

the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act creating the office of Richmond county fire marshal, and prescribing his powers and duties," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to amend chapter 483 of the Laws of 1872, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871; also, to repeal section 30 of said act, passed April 29, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to protect fish in Hoffman pond, in Claverack, Columbia county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to prevent the setting of fykes and other nets in the north and south ponds of Little Sandy creek, in the town of Sandy Creek, Oswego county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill entitled "An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the Senate bill entitled "An act in relation to the treatment of animals," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the Senate bill entitled "An act to provide for a better system of records of the inmates of poor-houses and alms-houses," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Vosburgh, from the committee on militia, to which was referred the bill entitled "An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Vosburgh, from the committee on militia, to which was referred the bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the Military Code,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Hammond, at 2 o'clock and 10 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

Pursuant to a resolution the Senate returned the Senate bill entitled "An act to amend chapter 365 of the Laws of 1862, entitled 'An act to authorize the discharge of mortgages of record in certain cases.'"

The Senate returned the bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," with a message informing that they assent to a committee of conference thereon, and appoint as such committee on their part Messrs. Booth, Dickinson and Laning.

On motion of Mr. Hammond, the bill entitled "An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property," was ordered to be considered in the first committee of the whole not full.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to repeal chapter 419 of the Laws of 1874, entitled 'An act to enable the town of Sardinia, Erie county, to raise money to build a town hall.'"

"An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property."

"An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Braman, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to establish specie payments on all contracts or obligations payable in this State in dollars and made after January 1, 1879."

"An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

Senate, "An act further to amend chapter 348 of the Laws of 1863, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Faulkner, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Faulkner, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Faulkner, from said committee, also reported in favor of the passage of said third mentioned bill.

The question being upon agreeing to said report,

Mr. Costigan moved to disagree with the report, and that said bill be recommitted to the committee of the whole and printed.

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was ordered to a third reading.

Mr. Worth asked unanimous consent to introduce a bill.

Mr. Prince raised the point of order that, as the session of this evening was appointed and held for the consideration of general orders only, no other business could be taken up or considered, even by unanimous consent.

Debate was had thereon, when

Mr. Speaker decided the point of order not well taken, on the ground that the House could abrogate any rule or previous order of the House by unanimous consent; that the chair, in the absence of any definite knowledge to the contrary, presumed that the whole number of the members elected to the Assembly were present.

Mr. Waehner moved that the amended Senate bill entitled "An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey for the benefit of creditors,'" be printed and placed on the files of members.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Daly rose to a question of privilege, and stated as follows:

"It is with much pain and reluctance that I have to bring before the House and to its knowledge a matter which is of a very questionable nature; and I regret exceedingly to be placed under the necessity of alluding to it here. The House will remember that about two weeks ago a bill was reported to the House by our committee in reference to the Fifth avenue pavement; a minority report adverse to the passage of the bill accompanied the favorable report of the majority of the committee. The bill as reported was printed and put upon our files, and so remained until within the last half hour. Shortly after 7 o'clock I learned that the files had been entirely overhauled, and when I compared the original with the copy, I saw that, without any authority, an entire new clause had been interpolated into the bill."

Messrs. Seward and Alvord also addressed the House upon the question of privilege.

Mr. Daly offered for the consideration of the House a resolution, in the words following:

Resolved, That a select committee of six be appointed to investigate how the files of this House have been tampered with in the matter of Assembly bill No. 106, with power to send for persons and papers, and report the result as soon as may be.

Mr. T. J. Campbell moved to amend said resolution by striking out all after the word "report" and inserting in lieu thereof the words "on Tuesday morning next, immediately after the reading of the journal."

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion of Mr. T. J. Campbell, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker appointed as such committee of investigation Messrs. Daly, T. J. Campbell, Hammond, Seward, Hess and Alvord.

On motion of Mr. Worth, at 9 o'clock and 10 minutes, the House adjourned.

FRIDAY, MARCH 5, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Thomas L. Sexton.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act for the relief of school district No. 17 of the town of Southport, in the county of Chemung."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, Mr. W. Miller introduced a bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. W. Miller, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Kirk	Russell
Badger	Faulkner	Krack	Schenck
Barkley	Fay	Kshinka	Schieffelin
Barrow	Fream	Law	Schuyler
Beardsley	Friend	Lawrence	Scudder
Bennett	Gallagher	Lillybridge	Seward
Berry	Gedney	Mackin	Silverman
Bordwell	Green	McAfee	Slingerland
Broas	Griffin	McGowan	Smith
Brogan	Hammond	McGroarty	Speaker
Burtis	Hanrahan	Merwin	Talmage
Calkins	Hauschel	W. Miller	G. Taylor
T. C. Campbell	Hepburn	Muller	Tewksbury
T. J. Campbell	Hess	Oakley	Vosburgh
Clark	Hinckley	O'Keefe	Waehner
Cole	Holmes	Peck	Wellington

Comstock	Houghton	Pierson	Wenzel
Costigan	Hussey	Prince	West
Daggett	Ives	Ransom	Willis
Daly	W. Johnson	Reilly	Worth
Decker	W. A. Johnson	Rich	Wurts
Edson	Keenan	Roscoe	Yost
Ely			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The privileges of the floor were extended to Hon. Ira Sherman, a former member of the House.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873."

"An act to amend an act to provide for the care of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith,' passed May 11, 1874, chapter 426."

"An act further to amend chapter 346 of the Laws of 1863, entitled 'An act empowering railroad companies to employ police force.'"

"An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents."

"An act in relation to railroad corporations."

"An act to provide for the appointment of a commission to investigate, consider and report upon the disposition to be made of the lateral canals."

"An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as Big Stream, where the same passes through the village of Dundee in said town."

"An act to repeal chapter 419 of the Laws of 1874, entitled 'An act to enable the town of Sardinia, Erie county, to raise money to build a town hall.'"

"An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property."

"An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario.'"

"An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts 18 and 19, in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Kirk	Schenck
Barkley	Faulkner	Krack	Schieffelin
Barrow	Fay	Kshinka	Schuyler
Beardsley	Fish	Lawrence	Scudder
Bennett	Fream	Lewis	Seward
Berry	Friend	Lillybridge	Sherman
Bordwell	Gallagher	Mackin	Shiel
Broas	Gedney	McAfee	Slingerland
Brogan	Green	McGowan	Smith
Burtis	Griffin	McGroarty	Speaker
Calkins	Hammond	Merwin	Talmage
T. C. Campbell	Hanrahan	Muller	G. Taylor
T. J. Campbell	Hauschel	Oakley	Tewksbury
Clark	Hepburn	O'Keefe	Vedder
Cleary	Hess	Peck	Waehner
Cole	Hinckley	Pierson	Wellington
Comstock	Holmes	Prince	Wenzel
Costigan	Houghton	Ransom	West
Daggett	Hussey	Reilly	Willis
Daly	Husted	Rich	Worth
Decker	Ives	Roscoe	Wurts
Edson	W. A. Johnson	Russell	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further to amend chapter 671 of the Laws of 1857, entitled 'An act to establish regulations for the port of New York,' as amended, being announced for a third reading,

On motion of Mr. Prince, and by unanimous consent, said bill was further amended by inserting after the word "or," in the amendment of the House, section 1, line 11, engrossed bill, the word "below."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	W. A. Johnson	Schieffelin
Badger	Farrar	Kennaday	Schuyler
Barkley	Fay	Kirk	Scudder
Barrow	Fish	Krack	Seward
Bennett	Fream	Kshinka	Sherman
Berry	Friend	Lawrence	Shiel
Bishop	Gallagher	Lillybridge	Slingerland
Bordwell	Gedney	Mackin	Speaker
Braman	Green	McGroarty	Talmage

Broas	Griffin	Merwin	G. Taylor
Brogan	Hammond	J. W. Miller	Tewksbury
Burtis	Hanrahan	Oakley	Waehner
T. C. Campbell	Hauschel	O'Keefe	Wellington
T. J. Campbell	Hepburn	Peck	Wenzel
Clark	Hess	Prince	West
Cole	Hinckley	Reilly	Willis
Daggett	Holmes	Rich	Witbeck
Daly	Houghton	Roscoe	Worth
Decker	Hussey	Russell	Wurts
Dessar	Husted	Schenck	Yost
Edson	Ives		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to authorize a tax to be levied upon the town of Potsdam, to build a town house," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Keenan	Schuyler
Badger	Ely	Kennaday	Scudder
Barrow	Farrar	Krack	Seward
Beardsley	Faulkner	Kshinka	Sherman
Berry	Fay	Lawrence	Shiel
Bishop	Fish	Lillybridge	Slingerland
Braman	Fream	McAfee	Smith
Broas	Friend	McGowan	Speaker
Brogan	Gallagher	McGroarty	G. Taylor
Burtis	Green	Merwin	Tewksbury
Calkins	Hanrahan	J. W. Miller	Vedder
T. C. Campbell	Hauschel	W. Miller	Vosburgh
T. J. Campbell	Hepburn	Oakley	Wellington
Clark	Hess	O'Keefe	Wenzel
Coffey	Hinckley	Peck	West
Cole	Holmes	Ransom	Willis
Comstock	Houghton	Roscoe	Witbeck
Daggett	Hussey	Russell	Worth
Daly	Husted	Schenck	Wurts
Davis	Ives	Schieffelin	Yost
Decker	W. A. Johnson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Krack	Seward
Badger	Fish	Kshinka	Sherman
Barkley	Fream	Lawrence	Shiel
Barrow	Gallagher	Lillybridge	Slingerland
Berry	Gedney	McAfee	Smith
Bowen	Green	McGroarty	Speaker
Broas	Griffin	Merwin	Stauf
Brogan	Hammond	J. W. Milier	Struble
T. C. Campbell	Hanrahan	W. Miller	Talmage
T. J. Campbell	Hanschel	O'Keefe	G. Taylor
Christopher	Hepburn	Page	Tewksbury
Clark	Hinckley	Ransom	Vedder
Coffey	Holmes	Reilly	Vosburgh
Cole	Hussey	Rich	Wellington
Daggett	Husted	Roscoe	Wenzel
Daly	Ives	Russell	West
Dessar	W. Johnson	Schenck	Willis
Ely	W. A. Johnson	Schuyler	Wurts
Farrar	Keenan	Scudder	Yost
Faulkner	Kennaday		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act relative to the Metropolitan Drawing Room Car Company,' passed May 10, 1874," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Faulkner	Krack	Scudder
Barkley	Fay	Kshinka	Seward
Barrow	Fish	Lillybridge	Sherwood
Beardsley	Fream	McAfee	Shiel
Bennett	Gallagher	McGowan	Slingerland
Berry	Gedney	McGroarty	Smith
Bishop	Green	Merwin	Speaker
Bordwell	Griffin	J. W. Miller	Stauf
Braman	Hanrahan	W. Miller	Struble
Broas	Hanschel	Oakley	Talmage
Brogan	Hinckley	O'Keefe	G. Taylor
T. C. Campbell	Hogan	Page	Tewksbury
T. J. Campbell	Holmes	Peck	Vedder

Clark	Hussey	Pierson	Vosburgh
Coffey	Husted	Prince	Waehner
Cole	Ives	Ransom	Wellington
Costigan	W. Johnson	Reilly	Wenzel
Daggett	W. A. Johnson	Rich	West
Decker	Keenan	Russell	Witbeck
Edson	Kennaday	Schenck	Wurts
Ely	Kirk	Schuyler	Yost
Farrar			

Those who voted in the negative, were

Daly	Hess	Schieffelin	Willis
Hepburn			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the support of government," being announced for a third reading,

On motion of Mr. Hammond, and by unanimous consent, said bill was amended as follows:

After the word "dollars," in line 5 of engrossed bill, insert the words "and two thousand dollars for clerk hire."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kirk	Schieffelin
Badger	Ely	Krack	Schuyler
Barkley	Farrar	Law	Scudder
Barrow	Faulkner	Lawrence	Seward
Bennett	Fay	Lillybridge	Sherman
Berry	Fream	McAfee	Shiel
Bordwell	Gallagher	McGowan	Smith
Bowen	Gedney	Merwin	Speaker
Braman	Green	J. W. Miller	Stauf
Broas	Griffin	W. Miller	Stephens
Brogan	Hammond	Oakley	Talmage
T. J. Campbell	Hanrahan	Page	G. Taylor
T. C. Campbell	Hauschel	Peck	Tewksbury
Clark	Hepburn	Pierson	Vosburgh
Cole	Hinckley	Prince	Waehner
Comstock	Holmes	Ransom	Wellington
Costigan	Hussey	Reilly	Wenzel
Daggett	Husted	Rich	Witbeck
Daly	Ives	Roscoe	Worth
Davis	W. Johnson	Russell	Wurts
Decker	Keenan	Schenck	Yost
Dessar	Kennaday		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of the officers of the village of Newark," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Schieffelin
Badger	Dessar	Krack	Schuyler
Barkley	Edson	Kshinka	Scudder
Barrow	Farrar	Lawrence	Seward
Beardsley	Faulkner	McAfee	Sherman
Bennett	Fay	McGowan	Sherwood
Berry	Fish	McGroarty	Smith
Bishop	Gallagher	Merwin	Speaker
Bordwell	Gedney	J. W. Miller	Stauf
Bowen	Green	W. Miller	Struble
Braman	Griffin	Oakley	Talmage
Broas	Hammond	Page	G. Taylor
Brogan	Hanrahan	Peck	Tewksbury
Burtis	Hauschel	Pierson	Vedder
T. C. Campbell	Hess	Prince	Vosburgh
T. J. Campbell	Hinckley	Ransom	Waehner
Clark	Holmes	Reilly	Wenzel
Cole	Hussey	Rich	Willis
Comstock	Husted	Roscoe	Witbeck
Costigan	Ives	Russell	Wurts
Daggett	W. A. Johnson	Schenck	Yost
Daly	Keenan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873," being announced for a third reading,

On motion of Mr. Shiel, and by unanimous consent, said bill was amended as follows:

Section 1, engrossed bill, line 1, strike out the words "an act," and insert in lieu thereof the words "of chapter 61 of the Laws of 1873." Amend the title by striking out the words "an act" after the word "amend," and inserting in lieu thereof the words "chapter 61 of the Laws of 1873."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Keenan	Scudder
Badger	Ely	Kennaday	Seward
Barkley	Farrar	Kirk	Sherman
Barrow	Faulkner	Krack	Sherwood
Bennett	Fish	Lawrence	Smith
Berry	Fream	Lewis	Speaker
Bordwell	Gallagher	McAfee	Stauf
Bowen	Gedney	McGowan	Struble
Braman	Green	J. W. Miller	Talmage
Broas	Griffin	W. Miller	G. Taylor
Burtis	Hammond	Oakley	Tewksbury
T. C. Campbell	Hanrahan	Page	Vedder
T. J. Campbell	Hauschel	Peck	Vosburgh
Clark	Hepburn	Prince	Waehner
Coffey	Hess	Ransom	Wenzel
Cole	Hinckley	Rich	West
Comstock	Holmes	Roscoe	Willis
Costigan	Houghton	Russell	Witbeck
Daly	Husted	Schenck	Worth
Davis	Ives	Schieffelin	Wurts
Decker	W. Johnson	Schuyler	Yost
Dessar	W. A. Johnson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act to provide for the care of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith," passed May 11, 1874, chapter 426," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 1 }

Those who voted in the affirmative, were

Badger	Fay	Kirk	Schieffelin
Barkley	Fish	Kshinka	Schuyler
Bennett	Fream	Lawrence	Scudder
Berry	Gallagher	Lillybridge	Seward
Bishop	Gedney	McAfee	Sherman
Bowen	Green	McGowan	Sherwood
Braman	Griffin	McGroarty	Shiel
Broas	Hanrahan	Merwin	Smith
Burtis	Hauschel	J. W. Miller	Struble
T. C. Campbell	Hepburn	W. Miller	G. Taylor
T. J. Campbell	Hess	Oakley	Tewksbury
Coffey	Hinckley	Page	Vosburgh

Comstock	Holmes	Peck	Wellington
Costigan	Hussey	Pierson	Wenzel
Decker	Husted	Ransom	Willis
Dessar	Ives	Reilly	Witbeck
Edson	W. Johnson	Rich	Worth
Ely	W. A. Johnson	Roscoe	Wurts
Farrar	Keenan	Russell	Yost
Faulkner	Kennaday	Schenck	

For the negative,

Clark

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to further amend chapter 346 of the Laws of 1863, entitled 'An act empowering railroad companies to employ police force,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Edson	Mackin	Scudder
Badger	Ely	McGowan	Seward
Barrow	Farrar	McGroarty	Sherman
Bennett	Fay	J. W. Miller	Sherwood
Berry	Fish	W. Miller	Shiel
Bishop	Gallagher	Muller	Speaker
Bowen	Green	Oakley	Struble
Braman	Hauschel	O'Keefe	Tewksbury
Brogan	Hepburn	Page	Vedder
Burtis	Hess	Peck	Vosburgh
Calkins	Hinckley	Pierson	Wellington
T. C. Campbell	Hussey	Prince	Wenzel
Clark	Husted	Rich	West
Cleary	Ives	Roscoe	Willis
Coffey	W. Johnson	Russell	Witbeck
Comstock	W. A. Johnson	Schenck	Worth
Costigan	Keenan	Schiffelin	Wurts
Daly	Kennaday	Schuyler	Yost
Decker	Kshinka		

Those who voted in the negative, were

Davis	Griffin	Kirk	Ransom
Dessar	Holmes	Krack	Slingerland
Gedney			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to the reduction of the

capital stock of banks, banking associations, individual bankers and other moneyed corporations, and for other purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawrence	Sherwood
Badger	Fay	McGowan	Shiel
Barrow	Fream	McGroarty	Silverman
Bennett	Gallagher	Merwin	Slingerland
Berry	Gedney	W. Miller	Speaker
Bishop	Green	Muller	Stauf
Bowen	Griffin	Oakley	Struble
Braman	Hammond	O'Keefe	G. Taylor
Broas	Hess	Page	Tewksbury
Brogan	Hinckley	Prince	Vedder
Burtis	Holmes	Ransom	Vosburgh
Calkins	Hussey	Reilly	Waehner
T. C. Campbell	Husted	Roscoe	Wellington
T. J. Campbell	Ives	Russell	Wenzel
Clark	W. Johnson	Schenck	West
Cleary	W. A. Johnson	Schieffelin	Whitmore
Comstock	Keenan	Schuyler	Willis
Daly	Kennaday	Scudder	Witbeck
Decker	Kirk	Seward	Worth
Edson	Krack	Sherman	Wurts
Ely	Kshinka		

Those who voted in the negative, were

Costigan	Hauschel	Yost
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874."

The bill entitled "An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as Big Stream, where the same passes through the village of Dundee in said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Dessar	Keenan	Sherwood
Badger	Edson	Kennaday	Shiel
Barkley	Ely	Krack	Silverman
Barrow	Farrar	Kshinka	Slingerland
Bennett	Faulkner	Lawrence	Speaker
Berry	Fay	McGroarty	Stauf
Bishop	Fish	Merwin	Struble
Bordwell	Gallagher	W. Miller	G. Taylor
Bowen	Gedney	Muller	Tewksbury
Braman	Green	Ransom	Vosburgh
Broas	Griffin	Reilly	Waehner
Brogan	Hauschel	Rich	Wellington
Burtis	Hinckley	Roscoe	Wenzel
T. J. Campbell	Holmes	Schenck	West
Cleary	Hussey	Schuyler	Witbeck
Coffey	Husted	Scudder	Worth
Comstock	Ives	Seward	Wurts
Costigan	W. Johnson	Sherman	Yost
Decker	W. A. Johnson		

Those who voted in the negative, were

T. C. Campbell	Clark	Daly	Willis
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Waehner moved that when this House adjourns it adjourn to meet on Monday evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to repeal chapter 419 of the Laws of 1874, entitled 'An act to enable the town of Sardinia, Erie county, to raise money to build a town hall,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Scudder
Badger	Decker	Kirk	Seward
Barkley	Dessar	Krack	Sherman
Barrow	Edson	Kshinka	Sherwood
Bennett	Ely	Mackin	Silverman
Berry	Farrar	McGowan	Slingerland
Bishop	Fish	Merwin	Smith
Bordwell	Gallagher	W. Miller	Speaker
Braman	Gedney	Muller	Struble

Broas	Green	Oakley	G. Taylor
Brogan	Griffin	O'Keefe	Tewksbury
Burtis	Hammond	Page	Vosburgh
Calkins	Hanrahan	Prince	Wellington
T. C. Campbell	Hauschel	Ransom	Wenzel
T. J. Campbell	Hess	Reilly	West
Clark	Holmes	Rich	Witbeck
Cleary	Husted	Roscoe	Worth
Cole	Ives	Schenck	Wurts
Comstock	W. A. Johnson	Schieffelin	Yost
Costigan	Keenan	Schuyler	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 184 of the Laws of 1866, entitled 'An act for the better protection of seamen in the port and harbor of New York,' passed March 21, 1866," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill entitled "An act to reduce rates of ferriage on certain ferry routes between the cities of New York and the Seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill entitled "An act to amend an act entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,' passed April 27, 1860," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and to correct the harbor commissioners' lines,'" which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the Senate bill entitled "An act for continuing and regulating a ferry across the Hudson river, in the town of Phillipstown, in the county of Putnam," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Yost moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

By unanimous consent, Mr. Lawrence introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reor-

ganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Page introduced a bill entitled "An act to authorize the apportionment and employment of a stenographer for the recorder's court of the city of Oswego, and to provide for the payment for his services," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Witbeck introduced a bill entitled "An act to make a per diem compensation of members and officers of boards of supervisors of the different counties of the State of New York (except the city and county of New York)," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Kshinka introduced a bill entitled "An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylums for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874, so far as the same relates to the sale, mortgage or other disposition of the real estate of drunkards," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State charitable institutions.

Also, by unanimous consent, a bill entitled "An act to repeal section 153 of article 6, title 2, chapter 1, part 3 of the Revised Statutes, relating to suits at law in foreclosure cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Worth introduced a bill entitled "An act to provide for a correct interpretation of the statutes of this State having reference to intoxicating liquors," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The bill entitled "An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Sherman
Badger	Dessar	Krack	Sherwood
Barkley	Edson	Kshinka	Shiel
Barrow	Farrar	McGowan	Silverman
Berry	Faulkner	McGroarty	Slingerland
Bishop	Fay	Merwin	Smith
Bordwell	Fream	Oakley	Speaker

Bowen	Gedney	O'Keefe	Stauf
Braman	Green	Page	Stephens
Broas	Griffin	Pierson	Struble
Burtis	Hammond	Prince	G. Taylor
Calkins	Hanrahan	Ransom	Tewksbury
T. C. Campbell	Hauschel	Reilly	Vosburgh
T. J. Campbell	Hess	Rich	Waehtner
Clark	Hinckley	Roscoe	Wenzel
Cleary	Holmes	Schenck	West
Cole	Hussey	Schieffelin	Willis
Comstock	Husted	Schuyler	Witbeck
Costigan	Ives	Scudder	Wurts
Daly	W. Johnson	Seward	Yost
Davis	W. A. Johnson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing of their agreement to the report of the committee of conference, in the words following:

The committee of conference appointed by the Senate and Assembly to which was referred the matters in difference between the two houses relative to the Assembly bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof," having met and duly considered the same, have agreed to recommend as follows:

Amend section 20 by striking out the concluding portion thereof, as follows: "In any suit brought by or against said city, or in any suit brought by or against any of its officers for any official acts, the city attorney shall have the right to move such action as a preferred case at any circuit or general term of the supreme court, on giving notice of his intention so to do."

All which is respectfully submitted.

March 4, 1875.

GEO. TAYLOR,
MAT. MCGOWAN,
ALLEN S. RUSSELL,
CHARLES M. SCHIEFFELIN,
O. T. STACY,

Com. on part of Assembly.

A. P. LANING,
JAMES M. BOOTH,
Com. on part of Senate.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Dessar	Kennaday	Seward
Badger	Edson	Krack	Sherman
Barkley	Farrar	Kshinka	Sherwood
Barrow	Faulkner	Lawrence	Shiel

Berry	Fay	McGowan	Silverman
Bishop	Fream	McGroarty	Slingerland
Bowen	Gedney	Merwin	Smith
Braman	Green	Oakley	Speaker
Broas	Griffin	O'Keefe	Stauf
Brogan	Hammond	Page	Stephens
Burtis	Hanrahan	Pierson	Struble
Calkins	Hauschel	Prince	G. Taylor
T. C. Campbell	Hess	Ransom	Vedder
T. J. Campbell	Hinckley	Reilly	Vosburgh
Clark	Holmes	Rich	Waehner
Cleary	Husted	Roscoe	Wenzel
Cole	Ives	Schenck	Willis
Comstock	W. Johnson	Schieffelin	Witbeck
Costigan	W. A. Johnson	Schuyler	Wurts
Daly	Keenan	Scudder	Yost
Davis			

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

The Senate returned the resolution relative to paying George Worthington, with a message informing of concurrence in the passage of the same, with the following amendments:

Strike out the words "removed from office" and insert the words "suspended in relation to the construction of said Reformatory."

Line 11, strike out the word "was," and after the word "appointed" insert the word "therefor."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendments.

Leave of absence was granted to Messrs. Benedict, Lawson, Stacy and Tremain indefinitely.

Mr. Waehner, from the committee on the judiciary, to which was recommitted the bill entitled "An act to provide for the aid and support of the poor in the various counties of this State," retaining its place on general orders, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the memorial of Julia A. Cosby and others for the State to release its interest in certain lands, reported a bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs-at-law of Edmund Cosby, deceased," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to amend an act entitled 'An act in relation to the compensation of justices of sessions,' passed April 19, 1859," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 496 of

the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions,' which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexes of certain records of deeds and mortgages in the office of said clerk," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act to extend the time for the collection of taxes in the city of Oswego," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill entitled "An act with regard to testamentary disposition of estates of decedents and gifts in case of death, or in contemplation of the division of an estate or property among offspring by a parent," reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to regulate coroners' inquests in the various counties of the State of New York, and to amend the previous acts in relation thereto," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to regulate coroners' inquests in the various counties of the State of New York, and to provide for the payment of services rendered by scientific persons as experts," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prince rose in his place and expressed his dissent to the conclusions of the majority of the committee on said bill.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to authorize the formation of corporations for the safe keeping and guarantying of personal property," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to authorize the election of town auditors in the several towns of this State which choose to have elected town auditors, and to prescribe their powers and duties," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill entitled "An act to extend the time for the completion of the organization of companies heretofore incorporated," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the

further consideration of the bill entitled "An act to authorize the village of Glens' Falls to borrow money and issue bonds for the purpose of increasing its supply of water and extending its water-works," and that the same be referred to the committee on affairs of villages.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to repeal chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,' passed May 29, 1873," and that the same be referred to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill entitled "An act to amend section 15 of article 1 of chapter 3 of part 1 of the Revised Statutes, relative to the paying over of moneys by the collectors of taxes in the several towns of this State," and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill entitled "An act to amend an act entitled 'An act to authorize the construction of sewers in the village and town of Saratoga Springs,' passed April 21, 1871," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 673 of the Laws of 1871, entitled 'An act to authorize the construction of sewers in the village and town of Saratoga Springs,' passed April 21, 1871," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to authorize the village of Greenbush to issue bonds for the purpose of raising money," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act revising and consolidating the several acts in relation to the village of Greenbush, passed March 22, 1854, and April 29, 1863,' passed April 25, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo,' passed April 27, 1871," reported in favor of the passage of the same, with the title amended so as to read "An act to amend chapter

798 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Association of the city of Buffalo,' passed April 27, 1871," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to incorporate St. Luke's Home and Hospital of Newburgh and New Windsor, N. Y.," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith, for the use of the Methodist Episcopal Church,' passed February 20, 1874," reported the same for the consideration of the House, with the title amended so as to read, "An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith, for the use of the Methodist Episcopal Church,' passed February 20, 1874," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act supplementary to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," reported in favor of the passage of the same, with the title amended so as to read, "An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill entitled "An act to amend an act entitled 'An act to regulate places of public amusement in the city of New York,' passed the 22d day of May, 1872," reported in favor of the passage of the same, and the title amended so as to read, "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' passed the 22d day of May, 1872," which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Brogan, at 1 o'clock and 40 minutes, the House adjourned.

MONDAY, MARCH 8, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Smart.

The reading of the journal of Friday was dispensed with.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows :

"An act to amend the charter of the village of Canandaigua, by conferring upon the trustees thereof the power to restrain and regulate the construction of wooden buildings and roofs in said village."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" with a message informing that they assent to a committee of conference thereon, and have appointed as such committee on their part Messrs. Wood, Robertson and Lord.

The Senate returned the bill entitled as follows:

"An act to amend an act entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Speaker appointed Joseph E. Cullen a page in place of John Moran, removed.

Mr. Speaker presented a communication from the board of health of the health department of the city of New York, in answer to a resolution of the House calling for certain information relative to fines, penalties, etc.; which was laid on the table and ordered printed.

(See Doc. No. 90.)

Mr. Braman introduced a bill entitled "An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Beardsley introduced a bill entitled "An act in relation to suits, actions and other legal proceedings in which any town in this State may or shall be interested," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Edson introduced a bill entitled "An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867, and to extend the limits of said village," which was read the first time, and by unanimous consent was

also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act to amend sections 1, 3, 4 and 21 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858; also, to amend sections 1 and 3 of chapter 98 of the Laws of 1864, entitled 'An act to amend an act entitled An act to make school district No. 9, in the town of Pomfret, a union free school district, passed March 17, 1858, and to legalize certain acts of the board of education of said district,' passed March 31, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Badger introduced a bill entitled "An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein for the constructing of a road from Blood's hotel to Tupper's lake, in Franklin county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Fay introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Silverman introduced a bill entitled "An act to incorporate the Great Council of the Improved Order of Red Men of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to provide for the improvement of portions of Commercial street and Union place, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. T. C. Campbell introduced a bill entitled "An act in relation to orders of arrest in actions to recover damages for slander or libel," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to provide means for the establishment and equipment of the building erected on that portion of the Central park formerly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1871, for the purpose of a museum of natural history," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to make further provisions for the payment of further expenses of the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Kirk introduced a bill entitled "An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Daly introduced a bill entitled "An act to further amend the act entitled 'An act requiring compensation for causing death by wrongful

act, neglect or default,' passed December 13, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Costigan introduced a bill entitled "An act to authorize appropriations for the adult blind in the city of New York not provided for in public or private institutions," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Sherman introduced a bill entitled "An act to establish a system of official accountability," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, by unanimous consent, a bill entitled "An act to amend an act entitled 'An act to authorize plank-road and turnpike companies, formed under and by virtue of part 1, chapter 18, title 1, article 5 of the Revised Statutes, to extend their charter or corporate existence,' passed April 18, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Lincoln introduced a bill entitled "An act to amend section 1 of chapter 777 of the Laws of 1873, entitled 'An act to amend an act for the suppression of the traffic in and circulation of obscene literature,' passed June 14, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Hepburn introduced a bill entitled "An act to amend chapter 9, title 14, part 1 of the Revised Statutes relative to the United States deposit fund," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Benedict introduced a bill entitled "An act relative to the canal claim of David Murray," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Husted introduced a bill entitled "An act to amend an act entitled 'An act authorizing the incorporation of rural cemetery associations,' passed April 27, 1847, so far as applies to the Dale Cemetery Association, in the town of Ossining, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to authorize the formation of corporations for the purpose of constructing and operating street railroads," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

On motion of Mr. Husted, said bill was ordered printed.

Mr. Husted introduced a bill entitled "An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,' passed April 16, 1872," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered printed and to a third reading.

Mr. Schenck introduced a bill entitled "An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 733, Laws of 1872,

entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 21, 1871, also to repeal section 30 of said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to legalize and confirm the official acts of John E. Ashe, as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act relative to the Civil Code," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to extend the charter of the Southport Plank-road Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Ransom, from the committee on canals, moved that said committee be discharged from the further consideration of the bill entitled "An act creating a canal contracting board, defining its powers and duties, and certain duties and powers of the State Engineer and Surveyor and division engineer, and providing the appointment of resident engineers, superintendents of canal repairs, and other employees, and for their removal," and that the same be printed and recommitted to the committee on canals.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill entitled "An act to regulate the quality and price of illuminating gas, and to provide for the office of meter inspector for the city of Brooklyn," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 16, 1848," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the Senate bill entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sherman, from the committee on rules, to which was referred the resolution relative to adding to the list of reporters the names of R. M. Griffin, Albany Evening Post, and D. L. Wing, Flushing Daily Times, reported in favor of the suspension of rules 2 and 57, and the adoption of said resolution.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Kshinka presented a petition of Peter W. Bain for relief; which was read and referred to the committee on canals.

Mr. Seward presented petitions of citizens of New York for a reduction of canal tolls; which were read and referred to the committee on canals.

Mr. Sherman presented three memorials of residents of Long Island, praying that fishing by pound nets in Great South bay may be forbidden by law; which were read and referred to the committee on internal affairs.

Mr. Lincoln presented five petitions of citizens of Ontario county asking for the repeal of the law preventing fishing in Honeoye lake in said county; which were read and referred to the committee on internal affairs.

Also, a remonstrance against the repeal of laws prohibiting the taking of fish from Honeoye lake, in Ontario county; which was read and referred to the committee on internal affairs.

Mr. Tremain presented a petition of Charles Deming for relief; which was read and referred to the committee on ways and means.

Mr. Calkins presented a petition relative to the improvement of highways in Chester, Warren county; which was read and referred to the committee on roads and bridges.

Mr. Green presented a petition of citizens of Genesee asking for the repeal of chapter 436 of the Laws of 1874; which was read and referred to the committee on public health.

Mr. Clark presented a petition of 88 citizens of Lyons asking for a repeal of laws subjecting steam boilers to inspection; which was read and referred to the committee on trade and manufactures.

Mr. Costigan offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be instructed to make report to the House, within one week from this date, on the bill referred to them on January 29, entitled "An act to repeal an act entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,'" being chapter 656 of the Laws of 1874.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Hauschel offered for the consideration of the House a resolution, in the words following:

Resolved, That the Secretary of State be requested to report to this House, within ten days, the names and numbers of rapid transit railroad companies for the city of New York organized by special charter or under the general railroad law of this State, stating the title of their charter, date of filing articles of incorporation, line of route, whether surface, elevated or underground, and names of corporators.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Page moved that the bill entitled "An act to extend the time for the collection of taxes in the city of Oswego," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Stauf offered for the consideration of the House a resolution, in the words following:

Whereas, It is currently reported that by reason of investments on inadequate securities and other losses the assets of the North America

Mutual Life Insurance Company, and the Guardian Mutual Life Insurance Company, of New York city, have become so much reduced as seriously to impair their solvency, and that they are now re-insuring their policy holders in other companies of small capital and reliability, with which it is said their officers and directors are connected, thereby jeopardizing the interests of thousands of citizens of this State, and threatening to deprive widows and orphans of their only support in the hour of need; and,

Whereas, Such charges so publicly preferred seem to call for a prompt and thorough investigation; therefore,

Resolved, That the committee on insurance be instructed to investigate the affairs of said companies and the investments made by them, in order to ascertain the true condition thereof; and also whether any collusion exists between the officers of such companies and those of the companies in which they are re-insuring their policy holders; with power to send for persons and papers, and to hold sessions in the city of New York.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Schenck offered for the consideration of the House a resolution, in the words following:

Whereas, The various bridges, crossings and encroachments of the New York Central and Hudson River Railroad and other railroads of this State are of such serious complaint from navigators and forwarders of the Erie canal as being detrimental to their interest in navigating such canal; and,

Whereas, The same is detrimental to the interests of the State; therefore, be it

Resolved, That the State Engineer and Surveyor be and is hereby required to furnish a statement of all places and points where said railroads encroach and intrude upon lands owned by the State of New York, or where bridges or other structures of such railroads in any way obstruct the navigation of said canal; and be it further

Resolved, That where such obstruction exists the State Engineer and Surveyor or Canal Commissioner in charge shall cause such obstruction, infringement or encroachment to be removed prior to the resumption of navigation for the year 1875.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases."

"An act to extend the time for the collection of taxes in the city of Oswego."

"An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Coffey, from said committee, reported in favor of the passage of said first and second mentioned bills, the first mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Coffey, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Hammond moved that said bill as amended be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend section 9 of chapter 423 of the Laws of 1853, in relation to corporations in the city of New York, in relation to life and health insurance companies."

"An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Jamaica, Queens county,' passed March 26, 1873."

"An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Burtis, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, and the title amended so as to read "An act to amend section 9 of chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies;'" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Burtis, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Burtis, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by inserting after the words "An act," first occurring, the word "further;" which report was agreed to, and said bill ordered engrossed and to a third reading.

By unanimous consent, Mr. Sherwood introduced a bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Tremain moved to adjourn.

Mr. Speaker put the question whether the House would agreed to said motion, and no quorum voting,

Mr. Alvord moved a call of the roll.

The roll was thereupon called, and the following members answered to their names, viz.:

Alvord	Daly	Krack	Shattuck
Badger	Davis	Kshinka	Sherman
Barrow	Decker	Lewis	Sherwood
Beach	Edson	Lillybridge	Silverman
Beardsley	Fay	Lincoln	Slingerland
Benedict	Fish	McAfee	Smith
Bennett	Gedney	Merwin	Speaker
Berry	Green	J. W. Milier	Stauf

Braman	Griffin	Page	Struble
Burtis	Hammond	Peck	G. Taylor
Calkins	Hanschel	Pierson	W. F. Taylor
T. C. Campbell	Hepburn	Ransom	Tewksbury
T. J. Campbell	Hess	Rich	Tremain
Christopher	Holmes	Roscoe	Vosburgh
Clark	Husted	Russell	Waehner
Coffey	Ives	Schieffelin	Wenzel
Comstock	W. Johnson	Schuyler	West
Cooke	Keenan	Scudder	Willis
Costigan	Kirk	Seward	Yost
Daggett			

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Mr. Speaker then put the question whether the House would agree to said motion to adjourn, and it was determined in the affirmative.

Thereupon, at 9 o'clock the House adjourned.

TUESDAY, MARCH 9, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Samuel E. Smith.

The journal of yesterday was read and approved.

Mr. Vosburgh rose to a question of privilege, and stated that the sub-committee of the committee on commerce and navigation, pursuant to a resolution of this House, have had under consideration the affairs of the Albany and Greenbush Bridge Company. Its proceedings have been obstructed to some extent by C. Adams Stevens' disobedience to a subpoena issued by authority of this House. This man has also been guilty of the most gross, insolent and turbulent conduct before the committee, utterly placing the committee at defiance, and heaping upon it the most abusive language, and following it with a threat of personal violence. The committee have thought it due to the House and their own self-respect to call attention to it, and therefore present the following report, which I desire the Clerk to read:

To the Honorable the Assembly:

It was resolved by the Assembly that the committee on commerce and navigation investigate certain matters pertaining to the Albany and Greenbush Bridge Company, and by the said committee it was confided to the undersigned as a sub-committee to conduct said investigation.

The sub-committee held a meeting on Thursday evening, March 4, inst., at its rooms No. 19 Steuben street, to continue the investigation aforesaid, upon which they had already entered.

That Volckert P. Douw, the then president, C. Adams Stevens, the vice-president, and James W. Gascoigne, the secretary of said company, had each been duly subpoenaed to appear before said sub-committee at the time and place aforesaid, to give testimony in the investigation aforesaid, and to produce "the stock ledger or other list of the stockholders of the Albany and Greenbush Bridge Company, and such papers or books as will show what and to what amount the subscription to the

stock of said company has been paid in; also, the minute books of the proceedings of the board of directors of said company and of the executive committee thereof."

Mr. Douw appeared before said committee and testified that the minute book was in the hands of the company; that he stated to the secretary, the vice-president and to the directors, when in session, that he had been subpoenaed to produce this and the other books of the company before this committee, and demanded that they be delivered to him for that purpose; both the secretary and vice-president refused to deliver them, and the directors passed a resolution declining to deliver the books, whereupon he resigned as president of said company.

Mr. Gascoigne, after some delay, and having been several times called, appeared before said committee, in company with C. Adams Stevens, whereupon Mr. Gascoigne was asked to be sworn as a witness, when Mr. Stevens interrupted the proceedings of the committee in a very boisterous and rude manner, and amongst other things said: "My secretary shall not take that stand until I am sworn; that is all, and I give you due notice of that." The chairman said: "Mr. Stevens, the committee have decided to examine Mr. Gascoigne first." Mr. Stevens replied: "Then you won't; I have been villified enough both by the committee and counsel during my absence, and especially by Mr. Moak; at least so the papers say; and I am here to defend myself." Again Mr. Stevens said, speaking of Mr. Gascoigne: "You cannot call him until I am ready."

Mr. Gascoigne was again called, when Mr. Stevens interrupted in a boisterous and threatening manner, and said: "He will not be sworn before this committee until you swear me."

The chairman then said: "Mr. Gascoigne, will you appear here?" When Mr. Stevens said: "No, he will not; you will see who will boss this job; I will stand up for him; I am ready." After some further remarks, Mr. Stevens said to Mr. Gascoigne: "Very well, sir, Mr. Gascoigne, you can take the stand, and leave the office to-morrow morning." He also said, when the chairman declined to talk with him: "You will talk to me, though, before you have done; you will see where you will be to-morrow morning in the Assembly; I am not afraid of you nor your counsel; I am here to defend our interests; you have abused me long enough behind my back, and now abuse me to my face if you dare." Mr. Stevens also said: "I don't want to be held by such a committee as this, by a damned sight." Mr. Gascoigne was finally put upon examination; he refused to produce the books of the company, although he admitted having the minute book of the directors of the company, and declined to produce it, as he was not allowed by its directors and vice-president.

When Mr. Gascoigne was under examination, Mr. Stevens interrupted in the most offensive manner, and amongst other things the following occurred:

Mr. Silverman: "Is the Greenbush and Albany Bridge Company represented by counsel?"

Mr. Stevens: "Who are you?"

Mr. Silverman: "I am a member of the committee, sir."

Mr. Stevens: "Oh, well, ah! The Constitution says every person has the right to appear personally and by counsel also; I choose to appear both personally and by counsel."

Mr. Silverman: "Then I may as well tell you that any further interruption will have to be stopped."

Mr. Stevens: "What will you do about it?"

Mr. Silverman: "Mr. Colvin appears here as your counsel, and I for one will not permit any further interruption."

Mr. Stevens: "Oh! you won't scare me; I am here to protect myself, either physically or in any other shape; I don't intend any man to insult me, nor shall you insult my witness or my secretary."

Mr. Stevens was afterward called as a witness, and declined to produce the books, and gave the following reason: "That it was one of these attempts similar to that made on the Erie railroad and other investigations of the kind to steal our books by parties who are interested in destroying the company, and said they had raised \$30,000 to repeal our charter; we did not propose to put our books in such a shape; I think they are a great deal safer in our hands than they would be in yours or the steamboat men's."

Upon being asked whether he would allow the committee to look at the books at the office of the company, Mr. Stevens said: "Yes, sir, with pleasure; but I would want a policeman there to see you did not steal them, with men as mean as you are; you might steal them, and it might not be safe in your hands."

Your committee further represent that in addition to Mr. Stevens' disobedience of the subpoena issued by authority of this House, his conduct was so turbulent, insolent and offensive that your committee will not be able to proceed with its investigation when he is present, in its opinion, without such conduct on the part of the said Stevens as is, in the opinion of this committee, a gross insult to it; and to the end that this House vindicate itself and its committee we have concluded to represent the proceedings that have been held, to the end that such action may be taken thereon as shall be thought proper. We annex the subpoenas and proof of service thereof.

All of which is respectfully submitted.

F. W. VOSBURGH,
BERNARD SILVERMAN,
HENRY J. DAGGETT,
Committee.

Mr. Vosburgh offered for the consideration of the House a resolution, in the words following:

Resolved, That C. Adams Stevens be and he is hereby declared in contempt of this House for disobedience to the subpoena issued by its committee on commerce and navigation to appear before said committee, and give testimony before it upon an investigation now pending before it, and to produce certain books of the Albany and Greenbush Bridge Company that were under his control, and also for disrespectful, offensive and turbulent conduct before said committee whilst it was in session, and that a warrant be issued for the arrest of the said C. Adams Stevens, and that he be forthwith brought to the bar of the House to answer for said contempt.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Leave of absence was granted to Messrs. Daggett, Silverman and Vosburgh this evening, and to Mr. Talmage indefinitely.

This being the day assigned by the rules for the consideration of general orders,

On motion of Mr. Cole, the bill entitled "An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so-called, to the east line thereof," was recommitted to the committee on affairs of cities, retaining its place on general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to provide for the aid and support of the poor in the various counties of this State."

Senate, "An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees and other charges payable by insurance companies of sister States,' passed May 11, 1865."

"An act to authorize the selection and location of grounds for a public park for the city of Troy, and to provide for the embellishment and maintenance thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kshinka, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Kshinka, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 694 of the Laws of 1865;" which report was agreed to, and said bill ordered to a third reading.

Mr. Kshinka, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Cleary, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

The Senate returned the Senate bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," with a message informing of non-concurrence in the amendments made thereto by the Assembly, and have appointed a committee of conference thereon, consisting of Messrs. King, Booth and Laning, and request a like committee on the part of the Assembly.

Mr. Vosburgh moved that such request be granted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Vosburgh, Smith, Christopher, Clark and Daggett were appointed such committee.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this state.'"

Senate, "An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence."

Senate, "An act to enable the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo to sell and convey certain lands."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Keenan, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Keenan, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by striking out the words "the act," in line 2, and inserting in lieu thereof the words "chapter 232 of the laws of 1854;" which report was agreed to, and said bill ordered to a third reading.

Mr. Keenan, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Stauf, at 1 o'clock and 47 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar for valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874."

Ordered, That the Clerk deliver said bill to the Governor.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to courts of record."

"An act to amend an act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act to conform the charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. G. Taylor, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. G. Taylor, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by inserting after the word "act," first occurring, the word "further," and by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 140 of the Laws of 1850;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. G. Taylor, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. Waehner moved that the bill entitled "An act to conform the

charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," be made a special order for next Tuesday evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The Sergeant-at-Arms appeared in the House and announced that pursuant to a resolution of the Assembly, and the warrant of the Speaker, he had arrested and now brought before the bar of the House Mr. C. Adams Stevens.

Mr. Speaker then addressed Mr. Stevens as follows:

C. Adams Stevens, you have been summoned to the bar of the Assembly of the State of New York for a high breach of its privileges, in disobedience to a subpoena issued by its committee on commerce and navigation to appear before said committee, and give testimony before it upon an investigation then and now pending before it, and in refusing to produce certain books of the Albany and Greenbush Bridge Company that were under your control, and also for disrespectful, offensive and turbulent conduct before said committee while it was in session. What have you to say in excuse of your conduct in the premises?

Mr. Stevens then said: I ask the privilege of being heard by counsel, I am not used to public speaking, and the charges are so grave that I ask the privilege of being heard before the House by counsel.

Mr. Speaker then ordered the Sergeant-at-Arms to conduct Mr. Stevens to the library until the action of the House can be taken.

Thereupon the Sergeant-at-Arms and Mr. Stevens withdrew.

Mr. Speaker announced that Mr. Stevens asks permission of the House to appear by counsel. Mr. Speaker then asked the pleasure of the House.

Mr. T. J. Campbell moved that C. Adams Stevens be and is hereby permitted to appear before the House with counsel.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. T. C. Campbell moved that Mr. Stevens be again brought before this House, and informed that his request is granted to be heard with counsel.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then directed the Sergeant-at-Arms to bring Mr. Stevens again to the bar of the House.

Thereupon the Sergeant-at-Arms again brought Mr. Stevens before the bar of the House.

Mr. Speaker announced to Mr. Stevens that his request to appear with counsel had been granted by the House.

Mr. Stevens then said: I have one more request, and that is that the House will give me until to-morrow's session to employ my counsel, so as to have them here. I will state that Mr. Colvin is my counsel in this matter, and he is engaged before the committee at another place, where we were summoned to appear with some witnesses.

Mr. Alvord moved that Mr. Stevens be served by the Clerk of this House with a copy of the charges, and that the House grant him until to-morrow's session to make answer to the charges, and that he shall

then be ready to say, in the first place, whether they are true or false before his counsel proceeds.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved that Mr. Stevens be at liberty to depart in the custody of the Sergeant-at-Arms, and that he be and appear before the bar of the House to-morrow morning, immediately after the reading of the journal, and that in the meantime he remain in the custody of the Sergeant-at-Arms.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then directed the Sergeant-at-Arms to take Mr. Stevens into his custody and him keep and bring before the bar of the House to-morrow morning, immediately after the reading of the journal.

Mr. Shattuck moved to adjourn.

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes."

"An act to further extend the provisions of the act entitled 'An act for the better security of mechanics and others erecting buildings in the several counties of this State, and the several amendments thereto.'"

"An act to enable the board of education of the city of Brooklyn to sell certain lands."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. West, from said committee, reported that they had made some progress on said first mentioned bill, and amended the title by adding thereto the words "and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' and the acts amendatory thereof as authorizes the appointment by the Governor of this State of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the Dominion of Canada," and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Prince the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

Mr. West, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. West, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

On motion of Mr. Worth, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to repeal chapter 645 of the Laws of 1873, passed May 29,

1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street.'

"An act to authorize the transfer of moneys held in trust to non-resident guardians and others, and to repeal chapter 59 of the Laws of 1870."

"An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Cooke, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, and the title amended by striking out the words "passed May 29, 1873;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Cooke, from said committee, also reported in favor of the passage of said second mentioned bill, with the title amended by adding at the end thereof the words "entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or Territories of the United States;'" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Cooke, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to prevent individuals and corporations from doing business under names indicating that they are incorporated banks or banking institutions."

"An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company."

"An act to amend and supplementary to an act entitled 'An act to incorporate the Mutual Trust Institution of New York,' passed April 24, 1872."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Dessar, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, and the title amended by inserting after the word "corporations" the words "not banking corporations;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Dessar, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Dessar, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. T. J. Campbell, at 9 o'clock and 55 minutes, the House adjourned.

WEDNESDAY, MARCH 10, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Cole.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to legalize the acts of the officers of the village of Newark."

"An act to provide for the appointment of an additional assistant district attorney for the county of Kings, and for his compensation."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to confirm the title of certain persons to real estate, questioned by reason of alienage of former owners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to amend an act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States the jurisdiction thereof, passed April 15, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to regulate the sale of baled hay and straw in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

Mr. Speaker appointed George E. Latham as clerk to the committee on insurance, two-third and three-fifths bills, and rules, in place of William H. Davis, deceased; said appointment to take effect as of February 11, 1875.

Mr. Stevens was again brought by the Sergeant-at-Arms before the bar of the House.

Mr. Speaker asked Mr. Stevens what he had to say in relation to the charges made against him, as to their truth or falsity.

Mr. Stevens replied that he denied them most emphatically.

Mr. Alvord moved that the House proceed to judgment in the case.

Debate was had thereon, when

Mr. Waehner moved as an amendment to the motion of Mr. Alvord the following:

Resolved, That C. Adams Stevens now have leave to be heard by counsel, to show why he should be purged of the contempt wherein he stands before this House.

The amendment was accepted by Mr. Alvord.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Thereupon Mr. Colvin, counsel for Mr. Stevens, proceeded to address the House in behalf of Mr. Stevens charged with contempt. During the course of his remarks, Mr. Alvord rose in his place and protested against allowing the counsel to go over the whole history of the Albany and Greenbush Bridge Company, but stated that he should confine himself to the precise question before the House.

Mr. Lincoln moved that the counsel be allowed to proceed in his own way.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Colvin resumed his remarks,

Mr. Alvord raised the point of order that it was not proper for the counsel to reflect upon any member of the House, but must confine himself strictly to matters showing excuse or extenuation for the contempt of Mr. Stevens.

Mr. Speaker decided the point of order well taken, and stated that any references to members by counsel, or repetition of remarks made by them, could not be tolerated, and unless the counsel should adhere to a proper line of argument why his client should be excused from punishment for contempt, he (Mr. Speaker) would cease to recognize him.

Mr. Colvin again proceeded, and was again called to order by Mr. Alvord.

Mr. Colvin again resumed his remarks, and was called to order by the Chair and informed that he could not further proceed, he having disregarded the rulings of the Chair when called to order.

Mr. Waehner moved that the counsel be allowed to proceed in order.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Colvin again proceeded to address the House, and was again called to order by the Speaker.

Mr. Davis then moved to lay the whole proceedings on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then directed the counsel to proceed in order.

Mr. Colvin stated that he could proceed no further unless he was allowed to state what occurred, what his client said, and other matters. It was necessary to a clear understanding of the case.

Mr. Speaker repeated his ruling, and stated that counsel could proceed, but must confine himself strictly to the question of contempt, and could not repeat indecorous language or boisterous proceedings before the committee.

Mr. Colvin then stated he could go no further.

Mr. Prince moved that the counsel be permitted to state exactly what occurred before the committee, without remark or comment of the counsel.

Mr. Speaker declared the motion out of order, on the ground that the

motion was in conflict with the rulings of the chair, and his only remedy was by appeal from such decision.

Mr. Prince appealed from the decision of the chair.

Debate was had thereon, when

Mr. Prince withdrew his appeal.

Mr. Speaker then directed the Sergeant-at-Arms to bring Mr. Stevens before the bar of the House.

Mr. Stevens then appeared, and was asked if he had anything further to say in excuse for his contempt more than his counsel had said.

Mr. Stevens then spoke as follows:

Mr. Speaker, I would simply say that the language which the committee construe to refer to it, was intended principally, almost entirely, for counsel. Mr. Smith, the counsel, is very terse and pungent in his examination of witnesses, and I made the remarks which the committee undoubtedly supposed referred to them, when in fact they referred to Mr. Smith, he (Smith) being the leading counsel in the case, and knowing I was to be examined by the committee, and knowing that he had been engaged in stealing the books of the Albany——

Mr. Alvord rose to a point of order.

Mr. Stevens, resuming: I objected to bringing my books down there and placing them under his control. I had no intention of referring to the committee, and the remarks which were accepted by the committee as referring to them were almost entirely in reference to the counsel. I never had the farthest intention or least idea of insulting the committee when I went there, nor when I went on the stand, except under a sense of hardship, as the committee have allowed the counsel in my absence to call me all sorts of bad names, charging me with all sorts of crimes, and with the worst crime which man in these days can be charged, that of being impecunious, and I thought it deserved some sort of resentment, and I perhaps indulged in language that was not perhaps exactly proper under the occasion. I apologized to the committee. I am very sorry it occurred, even under circumstances which I supposed were aggravating.

Several interrogatories were then put to Mr. Stevens by the Speaker in relation to the language stated in the report of the committee on commerce and navigation, having been made use of before said committee. To which interrogatories he made answer.

Thereupon Mr. Speaker directed Mr. Stevens to retire to the library with the Sergeant-at-Arms.

Mr. Stevens and the Sergeant-at-Arms then retired.

Mr. Speaker then asked the further pleasure of the House.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved, That it appears from the report of the committee on commerce and navigation, one of the standing committees of this House and by resolution of this House heretofore adopted, that C. Adams Stevens has been guilty of a high breach of privilege of this House in disobedience of the subpoena issued by the said committee on commerce and navigation to appear before said committee and give testimony before it upon an investigation now pending before it, and to produce books of the Albany and Greenbush Bridge Company that were under his control, and also for disrespectful, offensive and turbulent conduct before said committee whilst it was in session, and that no sufficient reason or excuse has been given or rendered by the said C. Adams

Stevens, or on his behalf, for his conduct and behavior in the premises, although brought before the bar of the House and an opportunity has been given him to be heard in that behalf.

Resolved, therefore, That the said C. Adams Stevens is guilty of a misdemeanor and contempt of this House; thereupon,

Resolved, That the Sergeant-at-Arms of this House take the said C. Adams Stevens from the bar of this House and deliver him to the keeper of the common jail of the county of Albany; that the said C. Adams Stevens be imprisoned in the said jail until the further orders of this House, and that the Speaker do issue his warrant of commitment accordingly.

Mr. Husted called for a division of the question.

Debate ensued thereon, when

Mr. Speaker announced the question to be upon the preamble offered by Mr. Alvord.

Mr. Husted offered the following amendment:

Strike out the words "and to produce books of the Albany and Greenbush Bridge Company that were under his control."

Mr. Speaker put the question whether the House would agree to said amendment of Mr. Husted, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said preamble, as amended, and it was determined in the affirmative.

Mr. Speaker then announced the question to be upon the resolution accompanying said preamble.

Mr. Burtis offered the following as a substitute for said resolution:

Resolved, That the Sergeant-at-Arms do immediately conduct the said Stevens to the bar of this House, and that the Speaker publicly reprimand the said Stevens for the alleged contempt as charged by the committee of this House.

Mr. Speaker put the question whether the House would agree to said substitute, and it was determined in the affirmative.

{ AYES 82 }
{ NOES 32 }

Those who voted in the affirmative, were

Badger	Dessar	Kshinka	Roscoe
Barkley	Ely	Law	Sanford
Benedict	Fay	Lawrence	Schenck
Bennett	Fish	Lawson	Scudder
Berry	Fream	Lewis	Seward
Bishop	Friend	Lincoln	Shattuck
Bordwell	Green	McAfee	Sherman
Bowen	Griffin	McGroarty	Sherwood
Broas	Hammond	Merwin	Shiel
Brogan	Hanrahan	Muller	Slingerland
Brown	Hauschel	Oakley	Smith
Burtis	Hinckley	O'Keefe	Stauf
Calkins	Holmes	Peck	Struble
T. J. Campbell	Houghton	Petty	G. Taylor
Clark	Hussey	Pierson	Tewksbury
Cleary	Ives	Pope	Vedder
Coffey	W. A. Johnson	Prince	Wellington
Cole	Keenan	Ransom	Witbeck

Cooke
Daggett
Davis

Kennaday
Kirk
Krack

Reilly
Rich

Wurts
Yost

Those who voted in the negative, were

Alvord
Barrow
Beach
Braman
T. C. Campbell
Christopher
Comstock
Costigan

Daly
Decker
Faulkner
Gallagher
Gedney
Hess
Husted
W. Johnson

Lillybridge
McGowan
J. W. Miller
Page
Russell
Schieffelin
Schuyler
Silverman

Speaker
Stephens
Tremain
Vosburgh
Waehner
Wenzel
West
Willis

Mr. Speaker then directed the Sergeant-at-Arms to bring Mr. Stevens before the bar of the House.

Mr. Stevens again appeared at the bar of the House and was publicly reprimanded by the Speaker, in the words following:

Mr. C. Adams Stevens, you have been adjudged guilty of a high breach of the privileges of the Assembly of the State of New York, and declared in contempt of this House for disrespectful, offensive and turbulent conduct before the committee on commerce and navigation, one of the standing committees of this House, while in session. The resolution just read clearly indicates the opinion of the House of your conduct in the premises. The offense committed by you is one of no ordinary character, for which the statute imposes the heaviest penalties. In view of your disclaimer of any intention to insult the committee or abuse the privileges of this House, the mildness of the decision which it is my duty now to pronounce, is to be in a great degree attributed. In obedience to the order of the House, I do, therefore, reprimand you for your conduct, and trust that this public admonition may prove a salutary lesson to you and others.

Mr. Speaker directed the Sergeant-at-Arms to release the prisoner from custody.

On motion of Mr. T. J. Campbell, at 2 o'clock and 15 minutes, the House adjourned.

THURSDAY, MARCH 11, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Albert Unholz.

The reading of the journal of yesterday was dispensed with.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to extend the time for the collection of taxes in the town of Moriah, in the county of Essex," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The Senate returned the bill entitled "An act to provide for the discharge of judgments against persons discharged under the United States

bankrupt law," with a message informing that they had passed the same, with the following amendments:

Section 1, line 19, after the word "or" insert the words "his executors, administrators or assigns."

Line 22, after the word "creditor" insert the words "his executors, administrators or assigns."

Line 27, after the words "made in" insert the words "the judicial district including."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawrence	Schuyler
Barkley	Faulkner	Lawson	Scudder
Bennett	Fay	Lewis	Seward
Berry	Fish	Lillybridge	Sherman
Bishop	Fream	Lincoln	Sherwood
Bowen	Friend	Mackin	Shiel
Braman	Gallagher	McGowan	Slingerland
Broas	Gedney	McGroarty	Smith
Brogan	Green	Merwin	Speaker
Calkins	Hammond	Oakley	Struble
T. C. Campbell	Hanrahan	Page	W. F. Taylor
T. J. Campbell	Hauschel	Peck	Tremain
Christopher	Hepburn	Petty	Vedder
Clark	Hinckley	Pierson	Vosburgh
Cole	Hogan	Pope	Wellington
Comstock	Holmes	Prince	Wenzel
Daggett	Houghton	Reilly	West
Daly	Husted	Roscoe	Willis
Decker	Ives	Sanford	Witbeck
Edson	W. Johnson	Schenck	Wurts
Ely	Krack	Schieffelin	Yost

Ordered, That the Clerk return said bill to the Senate with a message informing of concurrence in their amendments.

Mr. Brogan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases."

"An act to extend the time for the collection of taxes in the city of Oswego."

"An act to amend section 9 of chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies.'"

"An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collec-

tion of unpaid taxes in the town of Jamaica, Queens county,' passed March 26, 1873."

"An act further to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies.'"

"An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,' passed April 16, 1872."

"An act to provide for the aid and support of the poor in the various counties of this State."

"An act to authorize the selection and location of grounds for a public park for the city of Troy, and to provide for the embellishment and maintenance thereof."

"An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this state.'"

"An act in relation to courts of record."

"An act to further amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850."

"An act to enable the board of education of the city of Brooklyn to sell certain lands."

"An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes, and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' and the acts amendatory thereof as authorizes the appointment by the Governor of this State of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the Dominion of Canada."

"An act to repeal chapter 645 of the Laws of 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street.'"

"An act to authorize the transfer of moneys held in trust to non-resident guardians and others, and to repeal chapter 59 of the Laws of 1870, entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or territories of the United States.'"

"An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county."

"An act to prevent individuals and corporations not banking associations from doing business under names indicating that they are incorporated banks or banking institutions."

"An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company."

Mr. Speaker presented the annual report of the Auditor of the Canal Department on tolls, trade and tonnage of the canals; which was laid on the table and ordered printed.

(See Doc No. 92.)

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Vosburgh, Int. No. 441, entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 50, entitled "An act to release certain lands which have escheated to the State to Eliza Blain, widow of John Blain, late of the city of Buffalo," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the petition of Mary Hughes, for release to her of the interest of the State in certain real estate, reported a bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Comstock, Int. No. 457, entitled "An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the estate," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Faulkner, Int. No. 372, entitled "An act to release the interest of the people of the State of New York in certain real estate in town of Avon, N. Y., to Margaret Curran," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Oakley, Int. No. 331, entitled "An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Hammond, from the committee on ways and means, reported back the bill entitled "An act in relation to county treasurers," amended as directed by the House, as follows:

Add as section 12: "Nothing in this act contained shall be construed as relating to or in any manner affecting county treasurers now in office."

Said bill being announced for a third reading,

Mr. Hammond moved to recommit the same to the committee on ways and means, retaining its place on the calendar of third reading of bills.

Debate was had thereon, when

Mr. Prince moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hammond, and it was determined in the affirmative.

{ AYES 65 }
{ NOES 44 }

Those who voted in the affirmative, were

Alvord	Davis	W. Johnson	Pope
Badger	Edson	Kennaday	Reilly
Barkley	Ely	Kirk	Rich
Barrow	Farrar	Krack	Roscoe
Beach	Faulkner	Kshinka	Schenck
Benedict	Fay	Law	Schuyler
Berry	Fish	Lewis	Shattuck
Broas	Friend	Mackin	Sherman
Burtis	Griffin	McGowan	Shiel
T. C. Campbell	Hammond	McGroarty	Smith
T. J. Campbell	Hauschel	Merwin	Speaker
Christopher	Hess	Muller	Stephens
Coffey	Hinckley	Oakley	G. Taylor
Cole	Hogan	O'Keefe	Vosburgh
Cooke	Holmes	Page	Waehner
Costigan	Ives	Pierson	Wenzel
Daly			

Those who voted in the negative, were

Bennett	Fream	Lillybridge	Seward
Bishop	Gallagher	Lincoln	Stauf
Bordwell	Gedney	J. W. Miller	W. F. Taylor
Bowen	Green	W. Miller	Tewksbury
Braman	Hepburn	Peck	Tremain
Brogan	Houghton	Petty	Vedder
Calkins	Hussey	Prince	Wellington
Clark	W. A. Johnson	Ransom	West
Comstock	Keenan	Russell	Willis
Daggett	Lawrence	Sanford	Witbeck
Decker	Lawson	Scudder	Yost

The bill entitled "An act to amend section 1, chapter 33 of the Laws of 1874, entitled 'An act to amend section 1 of chapter 381 of Laws of 1873, entitled An act for the preservation of fish in waters lying within or bordering upon the counties of Schuyler, Steuben, Chemung, Seneca, Yates and Ontario,'" being announced for a third reading,

On motion of Mr. Lincoln, and by unanimous consent, said bill was amended by inserting in line 18, section 1, of engrossed bill, after the word "lakes," the words "except the inlet of Canandaigua lake, in the town of Naples."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Edson	Kshinka	Scheiffelin
Badger	Farrar	Lawrence	Schuyler
Barrow	Faulkner	Lawson	Scudder
Beach	Friend	Lillybridge	Seward
Benedict	Gallagher	Mackin	Sherman
Bennett	Gedney	McAfee	Sherwood
Bordwell	Green	McGowan	Smith
Bowen	Griffin	McGroarty	Speaker
Braman	Hammond	Merwin	Stauf
Burtis	Hauschel	W. Miller	Stephens
Calkins	Hepburn	Oakley	Struble
Clark	Hess	Petty	W. F. Taylor
Cleary	Hinckley	Pierson	Tewksbury
Cole	Holmes	Pope	Tremain
Comstock	Husted	Prince	Vedder
Cooke	Ives	Ransom	Wellington
Costigan	W. A. Johnson	Reilly	Wenzel
Daggett	Keenan	Rich	Willis
Decker	Kennaday	Roscoe	Yost
Dessar	Kirk	Russell	

Those who voted in the negative, were

Hogan	Houghton	Shattuck	Wurts
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to establish specie payments on all contracts or obligations payable in this State in dollars, and made after January 1, 1879," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Ely	Kennaday	Schieffelin
Barkley	Farrar	Kirk	Schuyler
Benedict	Faulkner	Lawrence	Scudder
Bennett	Gallagher	Lincoln	Seward
Berry	Green	Mackin	Shattuck
Bishop	Griffin	McAfee	Sherman
Bordwell	Hanrahan	McGowan	Shiel

Bowen	Hepburn	McGroarty	Speaker
Brogan	Hess	Merwin	Stauf
Brown	Hinckley	J. W. Miller	Struble
Burtis	Hogan	Oakley	G. Taylor
Calkins	Holmes	Page	Vosburgh
Clark	Hussey	Petty	Waehner
Cleary	Husted	Pope	Wenzel
Cole	Ives	Ransom	Willis
Costigan	W. Johnson	Reilly	Wurts
Decker	W. A. Johnson	Rich	Yost
Edson	Keenan	Russell	

Those who voted in the negative, were

Gedney	Peck	Schenck	West
Houghton			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" being announced for a third reading,

On motion of Mr. Petty, and by unanimous consent, said bill was amended by inserting as section 2 the following:

"§ 2. No person in the county of Suffolk shall kill or expose for sale, or have in his or her possession after the same has been killed, any wild duck, goose or brant between the fifteenth day of May and the first day of October, nor any wood duck between the first day of January and the first day of October, under a penalty of twenty-five dollars for each bird killed or had in possession. Nor shall any person in said county of Suffolk kill or expose for sale, or have in his or her possession after the same has been killed, any ruffed grouse, commonly called partridge, or pinnated grouse, commonly called prairie chicken, between the first day of January and the first day of October, under a penalty of twenty-five dollars for each bird killed or had in possession."

On motion of Mr. Sherman, and by unanimous consent, said bill was further amended by inserting as section 3 the following:

"§ 3. Section 14 of said act is hereby amended so as to read as follows:

"§ 14. No person shall, at any time or place within this State, take any ruffed grouse, commonly called partridge, or any quail, with any trap or snare, under a penalty of twenty-five dollars for each bird."

By unanimous consent, said bill was laid aside for the present.

The bill entitled "An act in relation to railroad corporations," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }
{ NOES 44 }

Those who voted in the affirmative, were

Alvord	Edson	Kennaday	Schieffelin
Badger	Farrar	Kirk	Schuyler

Barrow	Faulkner	Kshinka	Scudder
Beach	Fay	Law	Sherman
Beardsley	Fish	Lincoln	Sherwood
Benedict	Friend	Mackin	Speaker
Bishop	Green	McGowan	Stephens
Bowen	Hammond	Merwin	Struble
Braman	Hess	J. W. Miller	G. Taylor
Burtis	Hinckley	Oakley	Tewksbury
Calkins	Hogan	Page	Tremain
T. C. Campbell	Holmes	Peck	Vedder
T. J. Campbell	Hussey	Petty	Vosburgh
Christopher	Husted	Pierson	Waehner
Daggett	Ives	Prince	West
Daly	W. Johnson	Schenck	Willis
Dessar	W. A. Johnson		

Those who voted in the negative, were

Barkley	Comstock	Houghton	Rich
Bennett	Cooke	Keenan	Roscoe
Berry	Davis	Krack	Russell
Bordwell	Ely	Lawrence	Seward
Broas	Fream	Lawson	Shattuck
Brogan	Gallagher	Lewis	Smith
Brown	Gedney	Lillybridge	Stauf
Clark	Griffin	O'Keefe	Wenzel
Cleary	Hanrahan	Pope	Witbeck
Coffey	Hauschel	Ransom	Wurts
Cole	Hepburn	Reilly	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Hammond, from the committee on ways and means, to which was recommitted the bill entitled "An act in relation to county treasurers," retaining its place on the calendar of third reading of bills, reported in favor of the passage of the same, with amendments, which report was agreed to.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }
{ NOES 26 }

Those who voted in the affirmative, were

Alvord	Edson	Kirk	Schenck
Badger	Ely	Kshinka	Schuyler
Barkley	Farrar	Law	Shattuck
Barrow	Faulkner	Lincoln	Sherman
Beardsley	Fish	Mackin	Shiel
Benedict	Fream	McGowan	Silverman
Berry	Friend	McGroarty	Smith

Broas	Gedney	Merwin	Speaker
Brown	Griffin	J. W. Miller	Stauf
Burtis	Hammond	Muller	Stephens
T. C. Campbell	Hauschel	Oakley	Struble
Cleary	Hess	O'Keefe	G. Taylor
Cole	Hinckley	Page	Vosburgh
Cooke	Hogan	Pierson	Waehner
Costigan	Holmes	Prince	Wenzel
Daly	Ives	Reilly	Wurts
Davis	W. Johnson	Rich	Yost
Dessar	Kennaday	Roscoe	

Those who voted in the negative, were

Bordwell	Green	Lillybridge	Scudder
Bowen	Hepburn	Peck	Seward
Calkins	Houghton	Petty	W. F. Taylor
Clark	Hussey	Pope	Tewksbury
Comstock	W. A. Johnson	Russell	Wellington
Daggett	Lawrence	Sanford	West
Gallagher	Lawson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Husted, the privileges of the floor were extended to Hon. John E. Devlin.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act providing for the appointment of additional notaries public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to extend the time for the collection of taxes in the city of Oswego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	W. A. Johnson	Rich
Badger	Decker	Keenan	Roscoe
Barrow	Dessar	Kennaday	Schenok
Beardsley	Edson	Kirk	Schuyler
Berry	Ely	Kshinka	Scudder
Bishop	Farrar	Lawrence	Sherman
Bordwell	Faulkner	Lewis	Silverman
Bowen	Fream	Lillybridge	Smith
Broas	Friend	Lincoln	Speaker
Burtis	Gedney	Mackin	Stauf
Calkins	Green	McGroarty	Stephens
T. C. Campbell	Hauschel	Merwin	G. Taylor
T. J. Campbell	Hepburn	J. W. Miller	W. F. Taylor

Christopher	Hess	Muller	Vosburgh
Clark	Hinckley	Oakley	Wellington
Coffey	Hogan	Page	West
Cole	Holmes	Petty	Willis
Comstock	Houghton	Pierson	Witbeck
Cooke	Hussey	Prince	Yost
Costigan	W. Johnson	Ransom	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors,'" as amended was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Russell
Badger	Dessar	Keenan	Schenck
Barkley	Edson	Kennaday	Schuyler
Barrow	Farrar	Kirk	Scudder
Beach	Fream	Kshinka	Seward
Benedict	Friend	Lewis	Shattuck
Berry	Gallagher	Lillybridge	Sherman
Bishop	Gedney	Lincoln	Sherwood
Bordwell	Green	Mackin	Slingerland
Braman	Griffin	McAfee	Stauf
Broas	Hammond	McGroarty	Struble
Brown	Hepburn	J. W. Miller	Vedder
Burtis	Hess	Muller	Vosburgh
Calkins	Hinckley	Page	Wellington
T. C. Campbell	Hogan	Peck	Wenzel
Christopher	Holmes	Petty	West
Clark	Houghton	Pierson	Willis
Cleary	Hussey	Pope	Witbeck
Comstock	Husted	Prince	Wurts
Cooke	Ives	Rich	Yost
Daggett	W. Johnson	Roscoe	

For the negative,

Costigan

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,' passed April 16, 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 79 {
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Edson	Kshinka	Sherwood
Badger	Ely	Lawson	Shiel
Barkley	Farrar	Lewis	Silverman
Barrow	Fay	Lillybridge	Slingerland
Benedict	Friend	Lincoln	Speaker
Berry	Gallagher	Mackin	Stauf
Bowen	Gedney	McGowan	Stephens
Braman	Green	McGroarty	Struble
Broas	Griffin	J. W. Miller	W. F. Taylor
Calkins	Hauschel	Muller	Tewksbury
T. J. Campbell	Hepburn	Oakley	Tremain
Christopher	Hinckley	Peck	Vedder
Clark	Hogan	Petty	Vosburgh
Cleary	Holmes	Ransom	Wellington
Comstock	Houghton	Reilly	West
Cooke	Husted	Rich	Willis
Costigan	Ives	Schenck	Witbeck
Daggett	W. A. Johnson	Schuyler	Wurts
Daly	Keenan	Scudder	Yost
Decker	Kennaday	Seward	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable married women to release and to confirm releases of dower and inchoate rights of dower in certain cases," being announced for a third reading,

Mr. Barrow moved that said bill be recommitted to the committee on the judiciary, with instructions to report (amended) said bill as it originally was reported from the judiciary committee, and that the same be reported back forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waehner, from the committee on the judiciary, reported back said bill as instructed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 73 {
} NOES 33 {

Those who voted in the affirmative, were

Barkley	Friend	Lewis	Schenck
Barrow	Gedney	Lincoln	Schieffelin

Beach	Griffin	Mackin	Schuyler
Beardsley	Hammond	McAfee	Scudder
Benedict	Hepburn	McGowan	Sherwood
Bishop	Hess	McGroarty	Silverman
Bowen	Hinckley	Merwin	Stauf
Braman	Hogan	J. W. Miller	Stephens
Broas	Hussey	Oakley	Struble
Brown	Husted	Page	G. Taylor
Burtis	Ives	Peck	W. F. Taylor
T. C. Campbell	W. Johnson	Petty	Tewksbury
Christopher	W. A. Johnson	Pierson	Vedder
Coffey	Kennaday	Pope	Vosburgh
Comstock	Kirk	Prince	Waehner
Cooke	Kshinka	Ransom	Wellington
Daggett	Law	Rich	Wenzel
Ely	Lawrence	Sanford	Yost
Farrar			

Those who voted in the negative, were

Alvord	Costigan	Hauschel	Russell
Badger	Daly	Holmes	Seward
Bennett	Decker	Houghton	Sherman
Berry	Edson	Keenan	Smith
Bordwell	Fay	Lawson	Tremain
Calkins	Fream	Lillybridge	West
T. J. Campbell	Gallagher	Reilly	Willis
Clark	Green	Roscoe	Wurts
Cleary			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the aid and support of the poor in the various counties of this State," being announced for a third reading,

Mr. T. C. Campbell moved to recommit said bill to the committee on the judiciary, with instructions to amend the same by changing the first section so that the act shall apply only to the counties of Erie, Kings and New York, and add to the fourth section all after the word "thereby" (printed bill, line 7) remaining in said section, and that said committee report the same back forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waehner, from the committee on the judiciary, reported back said bill amended as directed by the House.

By unanimous consent, on motion of Mr. Alvord, the title was amended by striking out the word "various," and also by striking out the words "of this State," and by inserting in lieu thereof the words "Erie, Kings and New York."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }
{ NOES 42 }

Those who voted in the affirmative, were

Barkley	Davis	Kirk	Rich
Beach	Edson	Krack	Roscoe
Beardsley	Ely	Kshinka	Schenck
Benedict	Faulkner	Lawrence	Schuyler
Bennett	Fish	Lewis	Sherman
Berry	Fream	Mackin	Sheil
Brogan	Griffin	McGowan	Silverman
Bowen	Hammond	McGroarty	Smith
T. C. Campbell	Hanrahan	J. W. Miller	Speaker
T. J. Campbell	Hauschel	Muller	Stauf
Christopher	Hess	Oakley	G. Taylor
Cleary	Hogan	O'Keefe	Tewksbury
Coffey	Holmes	Page	Vosburgh
Cole	Ives	Petty	Waehner
Cooke	W. Johnson	Pierson	Wenzel
Costigan	Keenan	Ransom	Witbeck
Daly	Kennaday	Reilly	

Those who voted in the negative, were

Alvord	Decker	Lawson	Schieffelin
Badger	Farrar	Lillybridge	Seward
Barrow	Gallagher	Lincoln	Struble
Bishop	Green	McAfee	W. F. Taylor
Bordwell	Hepburn	W. Miller	Tremain
Brown	Hinckley	Peck	Vedder
Braman	Houghton	Pope	Wellington
Burtis	Hussey	Prince	West
Calkins	Husted	Russell	Willis
Clark	W. A. Johnson	Sanford	Yost
Comstock	Law		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 9 of chapter 463 of the Laws of 1853, entitled 'An act to provide for the incorporation of life and health insurance companies, and in relation to agencies of such companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Sanford
Barkley	Decker	Kshinka	Schenck
Barrow	Edson	Lawson	Soudder
Beach	Ely	Lillybridge	Seward
Beardsley	Farrar	Mackin	Speaker

Benedict	Fream	McGowan	Stephens
Berry	Friend	McGroarty	Struble
Bishop	Green	Merwin	G. Taylor
Broas	Griffin	J. W. Miller	Tremain
Burtis	Hess	Oakley	Vedder
Calkins	Hinckley	Page	Vosburgh
T. C. Campbell	Hogan	Peck	Waehner
Christopher	Holmes	Pierson	Wellington
Clark	Houghton	Reilly	West
Comstock	Hussey	Rich	Willis
Cooke	Husted	Roscoe	Witbeck
Daggett	Kennaday	Russell	Yost

Those who voted in the negative, were

Brogan	Fish	Keenan
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to courts of record," being announced for a third reading,

Mr. Petty moved to recommit said bill to the committee on the judiciary, with instructions to make the following amendment: Add at the end of section 1 the following: "But nothing contained in this act shall apply to the city and county of New York," and that the same retain its place on the calendar of third reading of bills.

Debate was had thereon, when

Mr. T. J. Campbell moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Petty, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 66 }
{ NOES 35 }

Those who voted in the affirmative, were

Alvord	Costigan	Kirk	Sherman
Bakley	Daly	Ksbinka	Shiel
Barrow	Decker	Lincoln	Silverman
Beach	Dessar	Mackin	Smith
Bradley	Ely	McGowan	Speaker
Benedict	Faulkner	McGroarty	Stauf
Bennett	Fay	Merwin	Stephens
Berry	Fish	J. W. Miller	Struble
Braman	Fream	Muller	G. Taylor
Broas	Griffin	Oakley	Vedder
Brogan	Hauschel	Page	Vosburgh
Brown	Holmes	Pierson	Waehner
Burtis	Houghton	Reilly	Wellington
T. C. Campbell	Ives	Roscoe	Wenzel

T. J. Campbell	W. Johnson	Schenck	Willis
Christopher	Keenan	Shattuck	Wurts
Cooke	Kennaday		

Those who voted in the negative, were

Badger	Gallagher	Lillybridge	Schieffelin
Bishop	Green	McAfee	Scudder
Bowen	Hess	W. Miller	Seward
Clark	Hinckley	Peck	Sherwood
Coffey	Hussey	Petty	Slingerland
Cole	W. A. Johnson	Pope	W. F. Taylor
Comstock	Law	Rich	Tewksbury
Farrar	Lawson	Russell	Witbeck
Friend	Lewis	Sanford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Dessar rose in his place and asked that his name appear as having voted for the bill entitled "An act to provide for the support of the poor in the counties of Erie, Kings and New York," he having been unavoidably absent at the time the bill was under consideration.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

On motion of Mr. Lincoln, at 2 o'clock and 45 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to extend the time for the collection of taxes in the city of Oswego."

Ordered, That the Clerk deliver said bill to the Governor.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof.'"

Senate, "An act to prohibit fishing near any fishway established by the State."

"An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York, in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and providing for payment for the publication of such notices."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wellington, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Wellington, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments; which report was agreed to, and said bill ordered to a third reading.

Mr. Wellington, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

On motion, the privileges of the floor were extended to Hon. Joseph Ely and Mr. Hyatt.

On motion of Mr. Kshinka, the bill entitled "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," was recommitted to the committee on affairs of cities, retaining its place on general orders."

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the eligibility of electors of towns owning stocks of railway companies, to be directors of such companies."

"An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water.'"

"An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. C. Campbell, from said committee, reported in favor of the passage of said first and second mentioned bills, the first mentioned with amendments; which report was agreed to; and said bills ordered engrossed and to a third reading.

Mr. T. C. Campbell, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Prince, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins.'"

"An act to release to Patrick J. Wallace, as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized."

"An act to amend an act entitled 'An act to incorporate the village of Port Chester,' passed May 14, 1868."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Fay, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Fay, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Leave of absence was granted to Mr. Petty indefinitely.

Mr. Hepburn moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to authorize the formation

of railroad corporations, and to regulate the same, passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads,' passed May 18, 1869."

"An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

Senate, "An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hepburn, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Hepburn, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Hepburn, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

On motion of Mr. Mackin, at 9 o'clock and 5 minutes, the House adjourned.

FRIDAY, MARCH 12, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bailey, of Troy.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act to provide for the discharge of judgments against persons discharged under the United States bankrupt law."

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent, on motion of Mr. Sherman,

Resolved, That 500 copies of the Assembly bill (printed No. 126) entitled "An act to confer on boards of supervisors further powers of local legislation and administration," be printed for the use of the Assembly, with the additions and amendments proposed to be submitted by the introducer.

By unanimous consent, Mr. Pierson offered for the consideration of the House a resolution, in the words following:

Whereas, The salt interests of the State of New York involve the receipt and expenditure of large amounts of money yearly; therefore,

Resolved, That the Superintendent of Salt be and is hereby respectfully requested to make and transmit to the committee on salt a complete itemized account of his receipts and expenditures for the year 1874, including the names of persons from whom money was received, and to whom paid, and for what purpose.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

By unanimous consent, Mr. Clark introduced a bill entitled "An act to enable the trustees of the village of Clyde, in the county of Wayne, to raise by tax the sum of six thousand dollars, and interest thereon,

wherewith to pay the indebtedness existing against said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Benedict introduced a bill entitled "An act to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady, and the several acts amendatory thereof,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, a bill entitled "An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the the practice, pleadings and proceedings of the courts of this State,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Calkins introduced a bill entitled "An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schroon, in the county of Essex," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Calkins, and by unanimous consent, said bill was ordered to a third reading.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act submitting to the electors of the town of New Lots, in the county of Kings, the question of annexation to the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. McGroarty, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Hussey	Schieffelin
Barkley	Davis	Ives	Schuyler
Barrow	Decker	Kennaday	Scudder
Beach	Edson	Kirk	Shattuck
Benedict	Ely	Kshinka	Sherman
Bennett	Farrar	Law	Sherwood
Berry	Faulkner	Lawson	Silverman
Bishop	Fay	Lewis	Slingerland
Bowen	Fish	Lillybridge	Speaker
Braman	Fream	Lincoln	Stephens
Broas	Friend	Mackin	Talmage
Brogan	Gallagher	McGowan	W. F. Taylor
Burtis	Green	McGroarty	Tewksbury
Calkins	Griffin	Merwin	Vosburgh
T. J. Campbell	Hanrahan	Muller	Wellington
Christopher	Hauschel	O'Keefe	Wenzel

Clark	Hepburn	Page	West
Cleary	Hess	Pierson	Willis
Coffey	Hinckley	Reilly	Witbeck
Comstock	Hogan	Roscoe	Worth
Costigan	Holmes	Russell	Wurts
Daggett	Houghton	Schenck	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance Companies,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	W. A. Johnson	Shattuck
Barkley	Faulkner	Kshinka	Sherman
Barrow	Fay	Lawson	Sherwood
Beach	Fish	Lincoln	Slingerland
Bishop	Fream	Mackin	Smith
Bowen	Friend	McGowan	Stephens
Braman	Green	Merwin	Struble
Broas	Griffin	J. W. Miller	Talmage
Brogan	Hammond	Muller	G. Taylor
Burtis	Hanrahan	Page	W. F. Taylor
Calkins	Hauschel	Peck	Tremain
T. J. Campbell	Hess	Prince	Vosburgh
Christopher	Hinckley	Reilly	Wellington
Clark	Hogan	Rich	Wenzel
Comstock	Holmes	Roscoe	West
Cooke	Houghton	Russell	Willis
Costigan	Hussey	Schieffelin	Witbeck
Decker	Husted	Schuyler	Worth
Edson	Ives	Scudder	Wurts
Ely	W. Johnson	Seward	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York, in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and providing for payment for the publication of such notices."

"An act in relation to the eligibility of electors of towns owning stocks of railway companies to be directors of such companies."

"An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds

and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village."

"An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water.'"

"An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins.'"

"An act to release to Patrick J. Wallace, as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized."

"An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

The bill entitled "An act further to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" being announced for a third reading,

On motion of Mr. Prince, and by unanimous consent, said bill was amended by adding at the end of section 1 the following: "And on Long Island no person shall kill or expose for sale, or have in his or her possession after the same has been killed, any rabbit between the 1st day of January and the 1st day of October in each year, under a similar penalty." And by changing section 2 to section 4.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Edson	Krack	Schieffelin
Barkley	Ely	Kshinka	Schuyler
Barrow	Faulkner	Law	Shattuck
Benedict	Fay	Lawson	Sherman
Bennett	Friend	Lillybridge	Slingerland
Berry	Gallagher	Lincoln	Smith
Bishop	Green	McAfee	Speaker
Bordwell	Hammond	McGroarty	Stephens
Bowen	Hanrahan	Merwin	Struble
Braman	Hauschel	J. W. Miller	G. Taylor
Broas	Hepburn	Muller	W. F. Taylor
Brogan	Hess	O'Keefe	Tewksbury
Burtis	Hinckley	Peck	Vosburgh
Calkins	Hogan	Pierson	Wellington
Christopher	Hussey	Prince	Wenzel
Clark	Husted	Reilly	West
Cleary	Ives	Rich	Witbeck
Comstock	W. Johnson	Roscoe	Worth
Cooke	W. A. Johnson	Sanford	Wurts
Costigan	Kirk	Schenck	Yost
Daggett			

Those who voted in the negative, were

Decker Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the selection and location of grounds for a public park for the city of Troy, and to provide for the embellishment and maintenance thereof," being announced for a third reading,

On motion of Mr. Cleary, the same was recommitted to the committee on affairs of cities, retaining its place on the calendar of third reading of bills.

The Senate bill entitled "An act to amend an act entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees and other charges payable by insurance companies of sister States,' passed May 11, 1865," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof

{ AYES 98 }
{ NOES 8 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Soudder
Barkley	Dessar	Kennaday	Seward
Barrow	Edson	Kirk	Shattuck
Beach	Ely	Krack	Sherman
Benedict	Farrar	Kshinka	Sherwood
Berry	Faulkner	Law	Silverman
Bishop	Fay	Lawrence	Slingerland
Bordwell	Fish	Lawson	Smith
Bowen	Fream	Lewis	Speaker
Braman	Friend	Lillybridge	Stephens
Broas	Gallagher	Lincoln	Struble
Brogan	Green	Mackin	Talmage
Brown	Griffin	McGroarty	G. Taylor
Burtis	Hammond	Merwin	W. F. Taylor
Calkins	Hanrahan	Muller	Tewksbury
T. C. Campbell	Hepburn	Oakley	Vedder
T. J. Campbell	Hess	Page	Vosburgh
Christopher	Hinckley	Peck	Waehner
Clark	Hogan	Pierson	Wellington
Cleary	Holmes	Prince	West
Comstock	Houghton	Rich	Willis
Cooke	Hussey	Schenck	Worth
Costigan	Husted	Schieffelin	Wurts
Daggett	Ives	Schuyler	Yost
Daly	W. Johnson		

Those who voted in the negative, were

Bennett	Keenan	Reilly	Russell
Hauschel	J. W. Miller	Roscoe	Wenzel

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to amend chapter 476 of the Laws of 1859, entitled 'An act to supply vacancies in the office of justices of the peace of the several towns of this State,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kirk	Soudder
Barrow	Decker	Krack	Seward
Beach	Edson	Lawson	Shattuck
Benedict	Faulkner	Lillybridge	Sherman
Bennett	Fream	Lincoln	Sherwood
Berry	Friend	Mackin	Silverman
Bishop	Gallagher	McAfee	Slingerland
Bowen	Green	McGowan	Smith
Braman	Griffin	McGroarty	Speaker
Broas	Hammond	J. W. Miller	Stephens
Brogan	Hanrahan	Oakley	G. Taylor
Brown	Hauschel	Page	W. F. Taylor
Burtis	Hinckley	Peck	Tewksbury
Calkins	Hogan	Prince	Vosburgh
T. C. Campbell	Holmes	Rich	Wellington
T. J. Campbell	Houghton	Roscoe	Wenzel
Christopher	Husted	Russell	West
Clark	Ives	Sanford	Willis
Cleary	W. Johnson	Schenck	Witbeck
Cole	W. A. Johnson	Schieffelin	Wurts
Comstock	Kennaday	Schuyler	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,' passed April 15, 1854, to extend the term of their corporate existence," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Daly	Ives	Schuyler
Barkley	Decker	W. A. Johnson	Soudder
Barrow	Edson	Kennaday	Shattuck
Beach	Ely	Kirk	Sherman
Benedict	Farrar	Law	Slingerland

Berry	Faulkner	Lawrence	Speaker
Bishop	Fay	Lawson	Stacy
Bordwell	Fream	Lillybridge	Stauf
Bowen	Friend	Lincoln	Stephens
Braman	Gallagher	Mackin	Struble
Broas	Green	McAfee	Talmage
Brogan	Griffin	McGowan	G. Taylor
Burtis	Hammond	McGroarty	Tremain
Calkins	Hauschel	Merwin	Vosburgh
T. C. Campbell	Hess	Oakley	Wellington
T. J. Campbell	Hinckley	Page	West
Christopher	Holmes	Peck	Willis
Clark	Houghton	Sanford	Witbeck
Comstock	Hussey	Schenck	Worth
Cooke	Husted	Schieffelin	Yost
Daggett			

Those who voted in the negative, were

Hogan Krack J. W. Miller

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The Senate bill entitled "An act to enable the Charity Foundation of the Protestant Episcopal church in the city of Buffalo to sell and convey certain lands," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cole	Keenan	Scudder
Barkley	Comstock	Kennaday	Shattuck
Barrow	Cooke	Krack	Sherman
Beach	Daggett	Lincoln	Silverman
Benedict	Daly	Mackin	Slingerland
Bennett	Decker	McAfee	Speaker
Berry	Edson	McGowan	Stacy
Bishop	Ely	McGroarty	Stauf
Bowen	Farrar	Merwin	Stephens
Broas	Faulkner	J. W. Milier	Struble
Brogan	Fish	Muller	G. Taylor
Brown	Fream	Peck	Tewksbury
Burtis	Gallagher	Reilly	Wellington
Calkins	Hanrahan	Roscoe	Wenzel
T. C. Campbell	Hanschel	Russell	West
T. J. Campbell	Hinckley	Sanford	Willis
Christopher	Holmes	Schenck	Witbeck
Clark	Houghton	Schieffelin	Wurts
Cleary	Hussey	Schuyler	Yost

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to further amend chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad corporations and to regulate the same,' passed April 2, 1850," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Davis	Husted	Sanford
Barkley	Decker	Ives	Schenck
Barrow	Edson	W. A. Johnson	Schuyler
Beach	Ely	Kennaday	Scudder
Benedict	Farrar	Kshinka	Shattuck
Bishop	Faulkner	Law	Sherman
Bowen	Fay	Lillybridge	Sherwood
Burtis	Gallagher	Lincoln	Slingerland
Calkins	Green	Mackin	Speaker
T. C. Campbell	Griffin	McAfee	Stacy
T. J. Campbell	Hammond	McGowan	Stauf
Christopher	Hanrahan	McGroarty	Struble
Clark	Hauschel	Merwin	Talmage
Cleary	Hepburn	J. W. Miller	Tewksbury
Cole	Hinckley	Oakley	Tremain
Comstock	Hogan	O'Keefe	Vosburgh
Cooke	Holmes	Peck	Willis
Costigan	Houghton	Prince	Witbeck
Daggett	Hussey	Rich	Yost

Those who voted in the negative, were

Bennett	Krack	Reilly	West
Keenan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes, and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorize the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' and the acts amendatory thereof as authorizes the appointment by the Governor of this State of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the Dominion of Canada," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Keenan	Sanford
Barkley	Ely	Kennaday	Schenck
Barrow	Farrar	Kirk	Schieffelin
Beach	Faulkner	Krack	Schuyler
Bennett	Fay	Kshinka	Scudder
Bishop	Fish	Lawrence	Seward
Bordwell	Fream	Lawson	Shattuck
Bowen	Gallagher	Lillybridge	Sherwood
Braman	Green	Lincoln	Shiel
Broas	Griffin	Mackin	Silverman
Brown	Hanrahan	McAfee	Speaker
T. C. Campbell	Hauschel	McGowan	Stauf
T. J. Campbell	Hepburn	McGroarty	Stephens
Clark	Hinckley	Merwin	Struble
Coffey	Hogan	J. W. Miller	G. Taylor
Comstock	Holmes	Oakley	Tremain
Cooke	Houghton	Page	Vosburgh
Costigan	Hussey	Peck	West
Daggett	Husted	Prince	Whitmore
Daly	Ives	Roscoe	Willis
Decker	W. Johnson	Russell	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to repeal chapter 645 of the Laws of 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Husted	Sherman
Beach	Dessar	Ives	Shiel
Benedict	Ely	W. Johnson	Silverman
Bishop	Farrar	Keenan	Smith
Bordwell	Faulkner	Kennaday	Speaker
Bowen	Fay	Kirk	Stacy
Braman	Fish	Kshinka	Stauf
Broas	Fream	Lawson	Stephens
Brown	Gallagher	Lillybridge	Struble
Burtis	Green	Mackin	G. Taylor
Calkins	Griffin	McGroarty	Tewksbury
T. C. Campbell	Hammond	Merwin	Tremain
T. J. Campbell	Hanrahan	J. W. Miller	Vedder
Christopher	Hauschel	Oakley	Vosburgh
Clark	Hepburn	Prince	Wellington

Cleary	Hess	Reilly	West
Coffey	Hinckley	Rich	Willis
Comstock	Hogan	Roscoe	Witbeck
Cooke	Holmes	Schenck	Worth
Costigan	Houghton	Schieffelin	Wurts
Daggett	Hussey	Shattuck	Yost
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Beardsley indefinitely, to Mr. Holmes until Monday evening, and Mr. McAfee one week.

The privileges of the floor were granted to H. C. Gifford.

The bill entitled "An act to enable the board of education of the city of Brooklyn to sell certain lands," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Schenck
Barkley	Dessar	Keenan	Schuyler
Barrow	Edson	Kennaday	Scudder
Beach	Farrar	Kirk	Shattuck
Benedict	Faulkner	Kshinka	Sherman
Bennett	Fay	Law	Silverman
Bishop	Fish	Lawson	Smith
Bordwell	Fream	Lewis	Stephens
Bowen	Gallagher	Lillybridge	Struble
Braman	Green	Lincoln	Talmage
Broas	Griffin	Mackin	G. Taylor
Brown	Hanrahan	McAfee	W. F. Taylor
Burtis	Hauschel	McGowan	Tewksbury
Calkins	Hepburn	McGroarty	Tremain
T. C. Campbell	Hess	J. W. Miller	Vedder
T. J. Campbell	Hinckley	Oakley	Wellington
Christopher	Hogan	Peck	West
Clark	Holmes	Pope	Willis
Cole	Houghton	Reilly	Witbeck
Comstock	Hussey	Roscoe	Worth
Cooke	Husted	Russell	Wurts
Costigan	Ives	Sanford	Yost
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the transfer of moneys held in trust to non-resident guardians and others, and to repeal chapter 59 of the Laws of 1870, entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards in other States or territories of the United States,'" was read a third time.

Mr. Speaker put the question whether the House would agree to

the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative were,

Alvord	Farrar	Kennaday	Shattuck
Barkley	Faulkner	Kshinka	Sherman
Beach	Fay	Lincoln	Silverman
Benedict	Fish	Mackin	Speaker
Bishop	Fream	McGowan	Stauf
Bowen	Green	McGroarty	Stephens
Braman	Griffin	J. W. Miller	Struble
Brown	Hanrahan	Oakley	Talmage
Burtis	Hauschel	Peck	G. Taylor
Calkins	Hepburn	Pierson	W. F. Taylor
T. C. Campbell	Hess	Pope	Tewksbury
Christopher	Hinckley	Prince	Vedder
Clark	Hogan	Reilly	Vosburgh
Cleary	Holmes	Roscoe	Waehner
Coffey	Houghton	Russell	Wellington
Cole	Hussey	Sanford	Willis
Cooke	Husted	Schenck	Witbeck
Costigan	Ives	Schieffelin	Worth
Daly	W. Johnson	Schuyler	Wurts
Decker	Keenan	Seward	Yost
Edson			

For the negative,

Kirk

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, in the words following:

Resolved, That a respectful message be sent to the Assembly requesting the return to the Senate of the Senate bill entitled "An act submitting to the electors of the town of New Lots, in the county of Kings, the question of annexation to the city of Brooklyn."

Ordered, That the Clerk return said resolution to the Senate, with a message that the bill has passed the House and is not now in its possession.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Scudder
Barkley	Edson	Kshinka	Seward

Barrow	Farrar	Law	Shattuck
Beach	Faulkner	Lawrence	Sherman?
Benedict	Fay	Lawson	Smith
Bishop	Fish	Lincoln	Speaker
Bordwell	Gallagher	Mackin	Stauf
Bowen	Green	McAfee	Stephens
Braman	Griffin	McGroarty	Struble
Brogan	Hanrahan	J. W. Miller	Talmage
Brown	Hanschel	Oakley	G. Taylor
Burtis	Hepburn	Peck	W. F. Taylor
Calkins	Hess	Pierson	Tremain
T. C. Campbell	Hinckley	Pope	Vedder
Christopher	Hogan	Prince	Vosburgh
Clark	Holmes	Reilly	Waehner
Cleary	Houghton	Rich	Wellington
Coffey	Hussey	Roscoe	Wenzel
Cole	Husted	Russell	West
Comstock	W. Johnson	Sanford	Willis
Cooke	W. A. Johnson	Schenck	Witbeck
Costigan	Keenan	Schieffelin	Worth
Daggett	Kennaday		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the people of this State to bring and maintain certain actions for the recovery of public moneys and property."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Faulkner	Kennaday	Schuyler
Barkley	Fay	Kshinka	Soudder
Barrow	Fish	Law	Seward
Beach	Fream	Lawrence	Shattuck
Benedict	Gallagher	Lawson	Sherwood
Bordwell	Green	Lincoln	Speaker
Bowen	Griffin	Mackin	Stephens
Burtis	Hanrahan	McGowan	Struble
Calkins	Hepburn	McGroarty	G. Taylor
T. C. Campbell	Hess	J. W. Miller	W. F. Taylor
Christopher	Hinckley	Oakley	Tewksbury
Clark	Hogan	Peck	Tremain
Coffey	Holmes	Pope	Vedder
Comstock	Houghton	Prince	Vosburgh

Cooke	Hussey	Reilly	Waehner
Costigan	Husted	Roscoe	West
Edson	W. Johnson	Russell	Willis
Ely	W. A. Johnson	Sanford	Witbeck
Farrar	Keenan	Schenck	Wurts

Those who voted in the negative, were

Brogan	Hauschel	Smith
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to prohibit fishing near any fishway established by the State," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Cole	Kennaday	Seward
Barkley	Cooke	Law	Shattuck
Barrow	Edson	Lawrence	Shiel
Beach	Farrar	Lawson	Speaker
Benedict	Faulkner	Lincoln	Stephens
Bennett	Fay	Mackin	Struble
Bishop	Fish	McAfee	Talmage
Bordwell	Gallagher	McGowan	G. Taylor
Bowen	Griffin	McGroarty	W. F. Taylor
Braman	Hanrahan	J. W. Miller	Tremain
Brogan	Hess	Oakley	Vedder
Burtis	Hinckley	Peck	Vosburgh
Calkins	Hogan	Pope	Waehner
T. C. Campbell	Holmes	Prince	Wellington
T. J. Campbell	Houghton	Reilly	Wenzel
Christopher	Hussey	Rich	Willis
Clark	Husted	Russell	Witbeck
Cleary	W. Johnson	Schenck	Worth
Coffey	Keenan	Schuyler	

Those who voted in the negative, were

Comstock	Costigan	Hauschel	Hepburn
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

Mr. Cook, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows:

"An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schroon, in the county of Essex."

The bill entitled "An act to legalize, ratify and confirm the official action of the board of assessors of the city of New York in designating the New Yorker Journal to publish notices in the year 1872, in relation to paving streets, laying crosswalks and building sewers in said city, and

providing for payment for the publication of such notices," being announced for a third reading,

Mr. Davis moved to recommit said bill to the committee on the judiciary.

Mr. Husted moved to amend said motion by adding thereto "and that said committee be instructed to amend line 4, section 1, engrossed bill, by striking out the words 'among other newspapers,' and report forthwith."

Mr. Speaker put the question whether the House would agree to said motion to amend, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Davis, as amended, and it was determined in the affirmative.

Mr. Waehner, from the committee on the judiciary, reported said bill as directed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Fay	Kshinka	Sherman
Beach	Fish	Lawrence	Shiel
Benedict	Fream	Lawson	Slingerland
Bowen	Gallagher	Mackin	Smith
Braman	Green	McGowan	Speaker
Broas	Griffin	McGroarty	Stacy
Brogan	Hammond	J. W. Miller	Stephens
Calkins	Hauschel	Muller	Struble
T. C. Campbell	Hess	Oakley	Talmage
T. J. Campbell	Hinckley	O'Keefe	G. Taylor
Christopher	Hogan	Peck	W. F. Taylor
Clark	Houghton	Pierson	Tewksbury
Cleary	Hussey	Prince	Tremain
Coffey	Husted	Reilly	Vedder
Cole	W. Johnson	Rich	Vosburgh
Comstock	W. A. Johnson	Sanford	Waehner
Cooke	Keenan	Schenck	Wenzel
Costigan	Kennaday	Schuyler	Willis
Dessar	Kirk	Soudder	Worth
Edson	Krack	Shattuck	Wurts
Faulkner			

Those who voted in the negative, were

Davis	Lincoln	Pope
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the eligibility of electors of towns owning stocks of railway companies to be directors of such companies," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

Barkley	Farrar	Kshinka	Sherman
Beach	Faulkner	Lawson	Shiel
Benedict	Fay	Lincoln	Slingerland
Bishop	Fish	Mackin	Smith
Bowen	Fream	McGowan	Speaker
Braman	Gallagher	McGroarty	Stacy
Broas	Green	J. W. Miller	Stauf
Brogan	Griffin	Muller	Stephens
Burtis	Hammond	Oakley	Struble
Oalkins	Hauschel	Peck	Talmage
T. C. Campbell	Hepburn	Pierson	G. Taylor
Christopher	Hess	Prince	W. F. Taylor
Clark	Hinckley	Reilly	Tewksbury
Oleary	Hogan	Rich	Tremain
Coffey	Houghton	Russell	Vedder
Comstock	Hussey	Sanford	Waehner
Cooke	W. Johnson	Schenck	Wenzel
Davis	W. A. Johnson	Schuyler	Willis
Dessar	Keenan	Scudder	Witbeck
Edson	Kennaday	Seward	Worth
Ely	Kirk	Shattuck	Wurts

Those who voted in the negative, were

Alvord Costigan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kennaday	Scudder
Barkley	Edson	Krack	Seward
Barrow	Ely	Kshinka	Shattuck

Benedict	Faulkner	Lawrence	Sherman
Bennett	Fream	Lawson	Shiel
Bishop	Gallagher	Lincoln	Slingerland
Bowen	Green	Mackin	Speaker,
Braman	Griffin	McGroarty	Stauf
Broas	Hammond	J. W. Miller	Stephens
Burtis	Hanrahan	Oakley	Struble
Calkins	Hauschel	Peck	G. Taylor
T. C. Campbell	Hepburn	Prince	W. F. Taylor
T. J. Campbell	Hess	Reilly	Tewksbury
Christopher	Hinckley	Rich	Vosburgh
Clark	Hogan	Russell	Wenzel
Coffey	Houghton	Sanford	Willis
Comstock	Hussey	Schenck	Witbeck
Cooke	Husted	Schieffelin	Wurts
Daly	W. Johnson	Schuyler	Yost
Davis	W. A. Johnson		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, on motion of Mr. T. J. Campbell, the pending order of business was laid on the table for the purpose of taking up the orders of business, introduction of bills and reports of standing committees.

By unanimous consent, Mr. Badger presented a petition of 8,564 ladies of the Women's Christian Temperance Union and other temperance societies, praying for the enactment of such restrictive legislation as shall limit the manufacture and sale of alcohol in this State to medicinal purposes; which was read and referred to the committee on internal affairs.

By unanimous consent, Mr. McGowan presented a petition of the New York Catholic Protectory, for an appropriation to build an institution destroyed by fire; which was read and referred to the committee on ways and means.

Mr. Vosburgh introduced a bill entitled "An act to enable the mayor of the city of Albany to convey certain lands and premises on the requisition of the board of public instruction of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to create a department of education and to reorganize the board known as the Regents of the University of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Bowen introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Plattsburgh," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bowen, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Krack	Seward
Barkley	Faulkner	Kshinka	Shattuck
Barrow	Fish	Lawrence	Sherman
Benedict	Fream	Lawson	Sherwood
Berry	Gallagher	Lincoln	Shiel
Bordwell	Green	Mackin	Speaker
Bowen	Griffin	McGowan	Stacy
Braman	Hammond	McGroarty	Stauf
Broas	Hanschel	J. W. Miller	Stephens
Brown	Hepburn	Muller	Struble
Burtis	Hess	Oakley	Talmage
Calkins	Hinckley	O'Keefe	G. Taylor
T. C. Campbell	Hogan	Peck	W. F. Taylor
T. J. Campbell	Houghton	Pierson	Tewksbury
Christopher	Hussey	Pope	Vedder
Clark	Husted	Prince	Vosburgh
Cleary	W. Johnson	Rich	Waehner
Coffey	W. A. Johnson	Russell	Wenzel
Daly	Keenan	Schenck	Willis
Dessar	Kennaday	Schieffelin	Witbeck
Edson	Kirk	Soudder	Wurts
Ely			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Farrar introduced a bill entitled "An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gallagher introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Lawson introduced a bill entitled "An act for the better protection of gas consumers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. McGroarty introduced a bill entitled "An act to amend an act to lay out and improve a public highway or avenue, and concourse in continuation of a public highway or avenue heretofore laid out, from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings, passed May 25, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to legalize the acts of the several boards of health in the towns of Kings county, and in the towns of Newtown, Flushing and Jamaica, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act relative to advertisements required to be

made by the board of city works of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Coffey introduced a bill entitled "An act in relation to the salaries and compensation of certain public officers of the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennaday introduced a bill entitled "An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,' passed April 25, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Burtis introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28, 1873, and to amend an act entitled 'An act to amend an act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 1, 1874, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Burtis, and by unanimous consent, said bill was ordered printed.

Mr. Dessar introduced a bill entitled "An act for the better protection of printers, publishers, lithographers and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. Reilly introduced a bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Daly introduced a bill entitled "An act to incorporate the New York Bureau of Statistics," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to require telegraph companies in large cities to run their wires underground," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Muller introduced a bill entitled "An act for the incorporation of societies or clubs for certain lawful purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Waehner introduced a bill entitled "An act to amend chapter 649 of the Laws of 1872, entitled 'An act further to amend chapter 319 of the Laws of 1848, entitled An act for the incorporation of benevolent, charitable, scientific and missionary societies,' and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, a bill entitled "An act to change the name of the American Craniological Museum," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gedney, introduced a bill entitled "An act to amend chapter 825 of the Laws of 1873, entitled 'An act to authorize the laying of rails and to run cars thereon for the transportation of passengers in certain streets and avenues in the upper part of the city of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. T. J. Campbell introduced a bill entitled "An act in relation to the building formerly used as a temporary court house by the third judicial district court in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Comstock introduced a bill entitled "An act to provide for a public park in the city of Lockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Sherman introduced a bill entitled "An act to provide houses of detention in the several counties in this State, for the safe keeping and proper care of women and children charged with offenses, and held for trial, and also for detention of all persons held as witnesses," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Barrow introduced a bill entitled "An act relating to witnesses in criminal cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Barrow, and by unanimous consent, said bill was ordered printed.

Also, a bill entitled "An act to incorporate the New York Bureau of Titles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Lincoln introduced a bill entitled "An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons,' passed June 25, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend chapter 634 of the Laws of 1872, entitled 'An act relating to the Pacific Mail Steamship Company, authorizing a reduction of its capital stock, and prescribing the qualification of directors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Hammond introduced a bill entitled "An act in relation to taxes on lands sold by the State, and to amend the Revised Statutes in relation thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Oakley introduced a bill entitled "An act to extend the time for the exercise and discharge of the official duties, and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act in regard to sewerage and other improvements in Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Prince introduced a bill entitled "An act to amend an act entitled 'An act to authorize the election of a police justice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village,' passed February 16, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stephens introduced a bill entitled "An act to dispose of the surplus lands known as the Seamen's Retreat, in the county of Richmond, and for the payment of the debt of the Seamen's Fund and Retreat of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to incorporate the Guaranty Mortgage and Trust Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Hepburn introduced a bill entitled "An act to repeal section 97, chapter 5, article 2, title 4, part 1 of the Revised Statutes, and also to amend section 26, chapter 11, article 1, title 3, part 1 of the Revised Statutes, relating to election of justices of the peace," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Wenzel introduced a bill entitled "An act to provide for the removal of obstructions from the Delaware river and certain of its branches, and to make an appropriation therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Bishop introduced a bill entitled "An act to extend the jurisdiction of the board of Canal Appraisers in relation to claims for lands taken and lands temporarily occupied by the State upon the Chenango canal extension," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Griffin introduced a bill entitled "An act to repeal an act entitled 'An act to authorize the election of town auditors in the town of Saratoga Springs, in the county of Saratoga, and to prescribe their powers and duties,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Davis introduced a bill entitled "An act to change the name of the village of Sandy Hill to that of Hudson Falls," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Also, a bill entitled "An act to legalize the action of the village of Whitehall in acquiring title to certain lands and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Schieffelin introduced a bill entitled "An act to amend chapter 59 of the Laws of 1868, entitled 'An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,' passed June 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Husted introduced a bill entitled "An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865,' passed April 28, 1865, entitled 'An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Husted presented the report of Thomas Kirkpatrick, Inspector of State Prisons; which was laid on the table and ordered printed.

(See Doc No. 93.)

Mr. Worth introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn and the various amendments thereof,' passed June 28th, 1873, and to amend an act entitled 'An act to amend an act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 1, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Worth, and by unanimous consent, said bill was ordered printed.

Also, the bill entitled "An act to amend chapter 363 of the Laws of 1870, entitled 'An act to authorize the common council of the city of Brooklyn to open and improve Van Cott avenue in said city,' passed April 22, 1870, and all acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Shiel introduced a bill entitled "An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers apportioned to the late town of Kingsbridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to regulate the price of and the quality of gas used in the city of Yonkers, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on trade and manufactures.

Also, a bill entitled "An act to provide for the election of supervisors in the several wards in the city of Yonkers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act relating to the loaning of money upon personal property, and to punish evasions of the usury laws," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hanrahan introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, amended April 25, 1871, amended January 12, 1872, amended May 22, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Schenck introduced a bill entitled "An act further to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to provide for the better regulation of dealers in old gold or silver and other jewelry, keepers of intelligence offices and junk dealers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the protection of persons keeping or boarding horses or mules," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on ways and means, introduced a bill entitled "An act to fix the salaries of certain State officers," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 184, entitled "An act for the relief of the surviving members of the first regiment of New York Volunteers, who served in the war with Mexico, and who were not included in the provisions of chapter 780 of the Laws of 1870," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act entitled 'An act for the relief of the surviving members of the first regiment of New York Volunteers who served in the war with Mexico,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hauschel, Int. No. 495, entitled "An act to repeal chapter 270 of the Laws of 1829, entitled 'An act for the

prevention of masquerades,' passed April 25, 1829," reported in favor of the passage of the same, with the title amended by striking out the words "passed April 25, 1829," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Struble, Int. No. 497, entitled "An act to provide district attorneys with rooms, fuel, lights and stationery for the transaction of official business," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to district attorneys," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Dessar, Int. No. 219, entitled "An act to authorize the board of trustees of the First National Building and Mutual Loan Association of the city of New York to loan its surplus funds on the security of unredeemed shares in said association," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Struble, Int. No. 437, entitled "An act in relation to the proof of wills," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Stephens, Int. No. 391, entitled "An act to authorize the Sea View Park Association of New Dorp, Richmond county, to mortgage their real estate," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 248 of the Laws of 1872, entitled 'An act to authorize the formation, establishing and maintaining of driving park and park associations,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Ransom, Int. No. 311, entitled "An act in relation to coroners' fees and post mortem examinations in Erie county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prince dissented from said report.

On motion of Mr. Kennaday,

Resolved, That the committee on general laws be discharged from the further consideration of the Assembly bill introduced by Mr. Edson, introductory No. 501, entitled "An act in relation to overseers of the poor in the several counties of the State wherein no distinction exists between town and county poor," and that the same be committed to the committee on internal affairs.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Husted, Int. No. 388, entitled "An act to authorize the board of supervisors of the county of Westchester to build an insane asylum," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 551, entitled "An act to authorize the formation of cremation societies," reported the

same for the consideration of the House, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Daly,

Resolved, That the bill entitled "An act to authorize the construction of a quick transit road in the city of New York, and to provide means therefor," now in the committee on affairs of cities, be printed.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Talmage, Int. No. 201, entitled "An act to provide for assessing and collecting the cost of lands taken for Prospect park in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Worth dissented from said report.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 292, entitled "An act to amend the charter of the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kirk, Int. No. 572, entitled "An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fream, Int. No. 163, entitled "An act to provide a board of fire and police commissioners for the city of Kingston," reported adversely thereto, which report was agreed to.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sherwood, Int. No. 499, entitled "An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 32, entitled "An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 103, entitled an act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 559, entitled "An act to provide for a correct interpretation of the statutes of this State

having reference to intoxicating liquors," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Braman, Int. No. 285, entitled "An act to confirm and levy the assessment for the expense of constructing a sewer in Myrtle avenue, Snipe street and the Washington park, in the city of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Daly, the committee on affairs of cities was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the Society for the Reformation of Juvenile Delinquents in the city of New York,' passed March 29, 1824," and the same was referred to the committee on charitable and religious societies.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Coffey, Int. No. 316, entitled "An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt Street and Erie Basin Railroad Company,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Brogan, Int. No. 299, entitled "An act in relation to street railroads," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. Faulkner, Int. No. 259, entitled "An act regulating the erection and maintenance of fire escapes upon certain buildings, and for the better security of life in case of fire," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. Stephens, Int. No. 111, entitled "An act for the relief of the New York and Yonkers Fire Insurance Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. W. Johnson, Int. No. 328, entitled "An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the Laws of the State of New York, but doing business therein," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. Yost, Int. No. 33, entitled "An act regulating the forfeiture of life insurance policies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. G. Taylor, Int. No. 116, entitled "An act

authorizing the incorporation of boards of underwriters in the several cities of this State," reported adversely thereto, which report was agreed to.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hussey, Int. No. 500, entitled "An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet, in the town of Summer Hill, in the county of Cayuga," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Pope, Int. No. 429, entitled "An act to amend section 7, chapter 433 of the Laws of 1872, entitled 'An act to amend chapter 721, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, as amended by section 2 of chapter 435 of the Laws of 1873,' passed May 7, 1873," reported in favor of the passage of the same, with the title amended so as to read "An act to amend section 7 of chapter 433 of the Laws of 1872, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, as amended by section 2 of chapter 435 of the Laws of 1873,' passed May 7, 1873," which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Prince, Int. No. 378, entitled "An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county,' and supplementary thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Alvord, Int. No. 541, entitled "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Yost, Int. No. 217, entitled "An act to amend an act entitled 'An act to amend the act entitled An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, passed April 11, 1868, as amended by chapter 360 of the Laws of 1871, passed April 7, 1871," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4,

1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. T. J. Campbell, Int. No. 385, entitled "An act to amend the act entitled 'An act for the incorporation of companies formed to navigate lakes and rivers,' passed April 15, 1854," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 232 of the Laws of 1854, entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the Senate bill, introduced by Mr. Connolly, Int. No. , entitled "An act to repeal an act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene, passed May 15, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which referred the Senate bill entitled "An act to amend an act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States the jurisdiction thereof, passed April 15, 1857," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Griffin, Int. No. 525, entitled "An act to authorize the village of Glens Falls to borrow money and issue bonds for the purpose of increasing its supply of water and extending its water-works," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Schenck, Int. No. 318, entitled "An act to amend the charter of the village of Canajoharie, and to revise and consolidate the several acts relating thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on roads and bridges be discharged from the further consideration of the petition of citizens of Essex and Warren counties praying for an appropriation of \$3,000 to build a road from Riverside to the Adirondack railroad, and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said petition was so referred.

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Stephens, Int. No. 479, entitled "An act to authorize the increase of the capital stock of the Staten Island Bridge Company," reported in favor of the passage of the same, with

amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely, from the committee on roads and bridges, to which was referred the Senate bill, Int. No. 84, entitled "An act to permit the Albany and Sandlake Plank-road Company to borrow money and make alteration and improvements," reported adversely thereto, which report was agreed to.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Seward, Int. No. 510, entitled "An act to authorize the Regents of the University to institute certain examinations, and in regard to conferring degrees," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor offered for the consideration of the House a resolution, in the words following:

Resolved, That the bill, Int. No. 538, entitled "An act to revise and consolidate the general acts relating to public instruction," passed May 2, 1874, now in the hands of the committee on public education, be printed.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Shattuck, from the committee on agriculture, to which was referred the bill introduced by Mr. Witbeck, Int. No. 223, entitled "An act to prevent the mutilation of shade trees," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Shattuck, from the committee on agriculture, to which was referred the Senate bill introduced by Mr. Connelly, Int. No. , entitled "An act to regulate the sale of baled hay and straw in the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Shattuck, from the committee on agriculture, to which was referred the Senate bill introduced by Mr. Bradley, Int. No. , entitled "An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Shattuck, from the committee on agriculture, to which was referred the bill introduced by Mr. Gallagher, Int. No. 449, entitled "An act to change the corporate name of the Western New York Poultry Society," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing additional copies of the State Engineer and Surveyor's report on canals for the use of the State Engineer's department, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That there be printed for the use of the State Engineer's department 750 additional copies, bound in cloth, of the State Engineer and Surveyor's Report on the Canals for the fiscal year ending September 30, 1874.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing copies of the report on railroads for the year ending September 30, 1874, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That there be printed and bound in cloth, under the direction of the State Engineer and Surveyor, the following number of copies of the report on railroads for the year ending September 30, 1874: For each Senator, member, officer and reporter of the Senate and Assembly, ten (10) copies, and for the State Engineer and Surveyor, two thousand four hundred (2,400) copies; the whole expense thereof to be refunded to the treasury of the State by an equitable assessment by the Comptroller on the several railroad companies of this State.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. T. J. Campbell offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on State charitable institutions be discharged from the further consideration of the bill introduced by Mr. Hauschel, Int. No. 120, entitled "An act to repeal an act entitled 'An act to create a fund in aid of the Society for the Reformation of Juvenile Delinquents in the city of New York, and for other purposes,' passed February 1, 1839," and that the same be referred to the committee on charitable and religious societies.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Said bill was so referred.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Bowen, Int. No. 466, entitled "An act to amend chapter 134 of an act entitled 'An act in relation to weights and measures,' passed April 11, 1851," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the Senate bill, Int. No. 22, entitled "An act to amend an act entitled 'An act to regulate the size of apple, pear and potato barrels,' passed May 12, 1862," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wurts, from the committee on public health, to which was referred the bill introduced by Mr. Prince, Int. No. 494, entitled "An act for the prevention of adulteration of food, drink and drugs," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wurts, from the committee on public health, to which was referred the petition of thirteen physicians, presented by Mr. Comstock, in regard to appointments of the board of health of the State of New York, reported adversely thereto, which report was agreed to.

On motion of Mr. Waehner, the committee on the judiciary was discharged from the further consideration of the Senate bill entitled "An

act to extend the time for the collection of taxes in the town of Moriah, in the county of Essex."

On motion of Mr. Waehner, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Hogan	Russell
Barkley	Cooke	Houghton	Schenck
Barrow	Costigan	Hussey	Schieffelin
Beach	Daly	Husted	Seward
Benedict	Davis	W. A. Johnson	Shattuck
Bennett	Dessar	Keenan	Sherman
Bishop	Edson	Kirk	Sherwood
Bowen	Ely	Kshinka	Silverman
Braman	Farrar	Lincoln	Smith
Broas	Fream	Mackin	Speaker
Brogan	Gallagher	McGroarty	Stauf
Brown	Green	J. W. Miller	Struble
Calkins	Griffin	O'Keefe	Talmage
T. C. Campbell	Hammond	Peck	G. Taylor
T. J. Campbell	Haurahan	Pierson	Waehner
Christopher	Hauschel	Pope	Wenzel
Clark	Hepburn	Prince	Willis
Cleary	Hess	Reilly	Worth
Coffey	Hinckley	Rich	Wurts
Cole			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Mackin, at 1 o'clock and 58 minutes, the House adjourned to Monday evening at 7½ o'clock.

MONDAY, MARCH 15, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Magee.

The reading of the journal of Friday, the 12th inst., was dispensed with.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows:

"An act for the better enforcement of certain penal laws."

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That there be printed for the use of the commissioners 1,000 copies of Assembly document No. 38, being the report accompanying papers of the commissioners in regard to quarantine jurisdiction between New York and New Jersey.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following :

Resolved (if the Assembly concur), That 500 copies of the report of the Commissioners of Emigration be printed for the use of the commissioners, and to be distributed by them to the several superintendents of the poor of the State and to the various societies which have hitherto been supplied with copies of such reports.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bill entitled as follows :

"An act to extend the time for the collection of taxes in the town of Plattsburgh."

Mr. Speaker presented the annual report of the New York Hospital and Bloomingdale Asylum for the year 1874; which was laid on the table and ordered printed.

(See Doc. No. 96.)

The privileges of the floor were extended to Hon. Mr. Cummings.

Mr. Kshinka introduced a bill entitled "An act authorizing cities to allow the construction of elevated railroads under letters patent granted by the United States to William H. Williams," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hinckley introduced a bill entitled "An act authorizing the religious denomination known as the United Brethren in Christ to elect trustees at quarterly conferences," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Ransom introduced a bill entitled "An act to incorporate Rescue Hook and Ladder Company of Tonawanda, Erie county, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Barkley introduced a bill entitled "An act to authorize the erection and construction of gas works in the village of Athens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. T. C. Campbell introduced a bill entitled "An act to provide for the payment for the use and occupation of armories and drill rooms in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act supplementary to and amendatory of the act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850," which was read the first

time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Alvord introduced a bill entitled "An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office;' and authorizing the Commissioners of the Land Office to exchange lands on said reservation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Barrow introduced a bill entitled "An act to amend chapter 288 of the Laws of 1840, entitled 'An act respecting State stocks, the Commissioners of the Canal Fund and the Canal Board,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Lincoln introduced a bill entitled "An act to authorize corporations to reduce their capital stock," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Page introduced a bill entitled "An act to authorize the formation of corporations to improve river or other streams, their branches and tributaries in this State, for the purpose of creating and maintaining public highways for moving logs, timber and lumber to market," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Prince introduced a bill entitled "An act to authorize the construction, maintenance and operation of railroads and tramways in certain cases," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Cleary introduced a bill entitled "An act to amend an act entitled 'An act to amend chapter 356 of the Laws of 1837,' passed May 8, 1837, entitled An act for the appointment of a harbor master for the port of Albany,' passed April 4, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Schuyler introduced a bill entitled "An act for the better security of railroad employees for labor performed," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Krack introduced a bill entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Law introduced a bill entitled "An act to authorize the trustees of the village of Salem, Washington county, N. Y., to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus and digging fire wells for the fire department in said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented petitions on the same subject; which were read and referred to the same committee.

Mr. Russell introduced a bill entitled "An act to prevent fraud and fraudulent practices upon or by keepers or owners of livery stables," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker introduced a bill entitled "An act to enable a wife to be a witness against her husband, or on behalf of another party, in cases of criminal conversation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on ways and means, reported a bill entitled "An act making appropriations for certain expenses of government," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 634, entitled "An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865, entitled An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Slingerland presented a remonstrance of 25 citizens of Albany against any amendment to the Albany and Greenbush Bridge charter; which was read and referred to the committee on commerce and navigation.

Mr. G. Taylor presented a remonstrance of 79 citizens of Newark, Wayne county, against the Union Ferry Company acquiring the rights to piers one to four, New York; which was read and referred to the committee on commerce and navigation.

Mr. Berry presented a petition to repeal an act passed May 11, 1874, entitled "An act to regulate the practice of medicine;" which was read and referred to the committee on public health.

Mr. Schenck presented a petition of C. Patterson and 176 others, in favor of a law for the protection of persons boarding or keeping horses and mules," which was read and referred to the committee on the judiciary.

Mr. Merwin presented a remonstrance of 125 citizens of Lyden, Lewis county, against the sale or abandonment of the Black River canal; which was read and laid on the table.

Mr. Hammond presented a petition of Charles A. Gillett and others for the passage of a law to encourage the erection of fences to prevent the obstructions of highways by snow; which was read and referred to the committee on roads and bridges.

Mr. Davis presented petitions of citizens of Whitehall, Waterford and Lansingburgh for the improvement of the navigation of the Hudson river; which was read and referred to the committee on canals.

Messrs. G. Taylor and Berry presented petitions for low tolls on the canals; which were read and referred to the committee on canals.

Mr. Alvord presented a petition of Michael Tobin for relief; which was read and referred to the committee on ways and means.

Mr. Hussey presented a petition of Erastus Reynolds, assignee of a certificate from Timothy Bush, a soldier of the war of 1812; which was read and referred to the committee on ways and means.

Mr. Sherwood presented a petition of citizens of Binghamton relative

to assessment and taxation of real and personal property; which was read and referred to the committee on ways and means.

Mr. Russell presented petitions of tax-payers of Wayne county praying for the passage of a law taxing corporations at the Comptroller's office; which were read and referred to the committee on ways and means.

Mr. Sherman presented petitions of citizens of Long Island on or near Great South Bay, and the South Side Sportsman's Club, of Long Island, praying for the passage of a law to prevent pound netting in said bay; which were read and referred to the committee on internal affairs.

Also, presented petitions of citizens of Utica praying for the passage of a law to establish a system of official accountability; which were read and referred to the committee on the judiciary.

Mr. Sherwood presented a petition of citizens of Chenango Forks on the same subject; which was read and referred to the committee on the judiciary.

Mr. Prince presented a petition for equal rights to all citizens, men and women; which was read and referred to the committee on the judiciary.

Also, a remonstrance of 45 citizens of Suffolk county, against any change in the law of 1872, relating to shooting wild fowl from floating batteries; which was read and referred to the committee on internal affairs.

Mr. Hammond called from the table the concurrent resolution, in the words following:

Resolved (if the Assembly concur), That the Comptroller be respectfully requested to transmit to the Senate, as soon as practicable, the name of each and every officer and employee of the Senate and Assembly at the last session of the Legislature; the capacity in which each was employed; the services and time of service rendered by each; the amount of pay received by each; to whom paid, and upon whose certificate for services rendered in each case.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Whereas, The board of building commissioners of the State Reformatory at Elmira, N. Y., made and executed certain contracts with John Riley, and certain other contracts with George W. Aldridge, for furnishing materials and doing certain work in the construction and erection of said reformatory, copies of which said contracts appear in and form a part of Senate document No. 22 for 1874; and,

Whereas, By the provisions of said contracts fifteen per cent of the amount due for work and materials furnished under said contracts was to be retained by the said commissioners until the said contracts were completed, unless the work mentioned in said contracts should be suspended for the period of six months, in which event the retained percentage should be due and payable to said contractors; and,

Whereas, Work under said contracts has for more than six months been suspended, and other contracts for the work and materials embraced in said first mentioned contracts, have been made with other parties, as

appears by Assembly document No. 19 of the present session; therefore,

Resolved (if the Senate concur), That the Comptroller be directed to issue his warrant to the said John Riley and to the said George W. Aldridge, or their assigns, for the following amounts, to wit: To the said John Riley the sum of eighteen thousand two hundred and nine dollars and eighty-two cents, and to the said George W. Aldridge the sum of twelve thousand five hundred and forty-six dollars and nineteen cents, which sums appear to be due the said contractors by Assembly document No. 11 of the present session, being the report of the said building commissioners, dated January 8, 1875.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Comstock,

Resolved, That the papers relating to the claim for relief of Lewis Pruden, upon which a favorable report was made, be taken from the Assembly files of 1874, and referred to the committee on claims.

Mr. Smith offered for the consideration of the House a resolution, in the words following:

Whereas, It is represented that the Industrial Exhibition Company has illegally given away its capital stock, or a large portion thereof, with the intent to give preference to the holders thereof, and have also organized a scheme whereby their mortgage bonds are publicly distributed by means of a lottery;

Resolved, That the Industrial Exhibition Company report to this Assembly within ten days whether any, and if so, how much, of its capital stock has been subscribed for, and how much has been paid on account, and what disposition has been made of the money so paid in; also, whether said company has sold any mortgage bonds, the amount sold and the prices received therefor and the place and manner of sale, and the said company report the form of the bonds used by them, and whether they offered any premiums to purchasers, and whether such premiums are subject to chance; and that they describe the manner of selling and distributing such premiums, if any; also, whether said company has purchased any real or personal property, and if so, a description thereof, and the amount paid on account thereof, and whether any steps have been taken to erect buildings; and that such report be made under the oaths of the officers of the company acquainted with the facts required.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

On motion of Mr. Gallagher,

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill entitled 'An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city,' and that the same be ordered engrossed and to third reading.

Mr. Lawson offered for the consideration of the House a resolution, in the words following:

Whereas, On the ninth day of April, 1856, an act was passed authorizing the construction of a bridge across the Hudson river at Albany, under the name of the Hudson River Bridge Company at Albany; and,

Whereas, It is provided by section 12 of this act, that "after the said

bridge shall have been completed such tolls and charges may be collected for crossing the same on foot, and with wagons, cars or carriages of any kind, and with horses or other animals, or otherwise, as the directors may from time to time establish, subject to the approval of the Canal Board ; provided, however, that such tolls shall be so regulated that they shall not yield a net annual revenue to exceed ten per cent upon the amount of such capital stock ;” and,

Whereas, It appears that the said Hudson River Bridge Company at Albany has not submitted to the Canal Board their sheet of toll rates since the year 1866 ; therefore,

Resolved, That the said Hudson River Bridge Company at Albany be and is hereby directed to report to the Legislature within ten days the amount of tolls received by said company since their last report to the Canal Board, which statement to be verified under oath by the president and secretary of said company.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

The House then resolved itself into a committee of the whole, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Stephens, from said committee, reported that upon a vote being taken on a motion to rise and report progress on a bill under consideration it appeared that no quorum was present.

Mr. Speaker ordered a call of the roll, and the following members responded :

Alvord	Faulkner	Lewis	Shattuck
Barkley	Fream	Lillybridge	Sherman
Beach	Gallagher	Lincoln	Sherwood
Benedict	Gedney	Merwin	Slingerland
Berry,	Green	J. W. Milier	Smith
Bordwell	Griffin	Page	Speaker
Burtis	Hammond	Peck	Stephens
Calkins	Hauschel	Pierson	Struble
T. C. Campbell	Hepburn	Pope	Talmage
Christopher	Hess	Prince	G. Taylor
Clark	Hinckley	Ransom	Tewksbury
Cole	Hogan	Reilly	Vedder
Comstock	Holmes	Rich	Waehner
Costigan	Hussey	Roscoe	Wellington
Daggett	Husted	Russell	Wenzel
Decker	Kshinka	Schenck	West
Dessar	Law	Schuyler	Willis
Farrar	Lawson	Seward	

Mr. Alvord moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The House again resolved itself into a committee of the whole on the bill entitled as follows :

“An act to provide for the organization and regulation of certain business corporations.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Stephens, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

On motion of Mr. Waehner, at 9 o'clock and 45 minutes, the House adjourned.

TUESDAY, MARCH 16, 1875.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

This being the day assigned by the rules for the consideration of general orders,

On motion of Mr. Hammond, and by unanimous consent, the bill entitled "An act making appropriations for certain expenses of government," was recommitted to the committee on ways and means, retaining its place on general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties."

"An act to authorize the formation of corporations for the safe keeping and guarantying of personal property."

"An act to provide for the organization and regulation of certain business corporations."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Stephens, from said committee, reported in favor of the passage of said bills, with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Speaker presented a communication from the Governor, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 15, 1875.* }

To the Legislature:

I have the honor to transmit herewith a communication from the Hon. William W. Belknap, Secretary of War, relating to certain lands at West Point, to which I beg to call your attention.

SAMUEL J. TILDEN.

Ordered, That said communication be laid upon the table and printed.
(*See Doc. No 99.*)

Leave of absence was granted to Messrs. Clark, Muller and Pope indefinitely.

On motion of Mr. T. J. Campbell, at 2 o'clock and 30 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bills entitled as follows:

"An act to enable the Charity Foundation of the Protestant Episcopal Church in the city of Buffalo, to sell and convey certain lands."

"An act further to amend chapter 348 of the Laws of 1860, entitled 'An act to secure to creditors a just division of the estates of debtors who convey to assignees for the benefit of creditors.'"

"An act to amend chapter 694 of the Laws of 1865, entitled 'An act in relation to the deposit required to be made, and the taxes, fines, fees and other charges payable by insurance companies of sister States,' passed May 11, 1865."

"An act to prohibit fishing near any fishway established by the State."

"An act to permit companies or corporations incorporated or formed under or pursuant to the provisions of the act entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers, passed April 15, 1854, to extend the term of their corporate existence'"

Ordered, That the Clerk return said bills to the Senate.

Mr. Speaker announced the special order, being the consideration of the bill entitled as follows:

"An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs."

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported progress on the same, and asked and obtained leave to sit again.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution, in the words following:

Resolved (if the Assembly concur), That the usual number of the Insurance Reports (ten copies for each member, officer and reporter) be printed as heretofore, and 1,500 copies of the fire and marine reports, and 2,000 copies of the life report, bound separately, for the use of the Superintendent of the Insurance Department.

Ordered, That said resolution be referred to the committee on public printing.

Mr. T. C. Campbell moved that the bill entitled "An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," also the bill known as the "Military Code," (unless sooner reached) be made a special order for Thursday evening next, at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. West, at 9 o'clock and 35 minutes, the House adjourned.

WEDNESDAY, MARCH 17, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Homer Eaton.

The reading of the journal of yesterday was dispensed with.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend title 3 of chapter 621 of the Laws of 1857, entitled 'An act to condense and amend the several acts incorporating or relating to the village of Skaneateles,' passed April 16, 1857, and the various acts amending the same."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to change the name of the Black River Insurance Company of Watertown, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schroon, in the county of Essex," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	W. A. Johnson	Seward
Badger	Decker	Krack	Shattuck
Barkley	Edson	Kshinka	Sherman
Barrow	Ely	Law	Sherwood
Beach	Farrar	Lawson	Shiel
Bennett	Fay	Lewis	Speaker
Berry	Fish	Lincoln	Stauf
Bishop	Fream	McGowan	Struble
Bordwell	Friend	McGroarty	Talmage
Braman	Gallagher	Merwin	G. Taylor
Broas	Gedney	W. Miller	Fewksbury
Brown	Green	Oakley	Vedder

Burtis	Griffin	Peck	Vosburgh
Calkins	Hepburn	Pope	Wellington
T. C. Campbell	Hess	Ransom	Wenzel
T. J. Campbell	Hinckley	Rich	West
Christopher	Hogan	Roscoe	Willis
Clark	Holmes	Russell	Witbeck
Costigan	Houghton	Sanford	Wurts
Daggett	Hussey	Schuyler	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent individuals and corporations not banking corporations from doing business under names indicating that they are incorporated banks or banking institutions," being announced for a third reading,

Mr. W. Miller moved to recommit said bill to the committee on banks, with instructions to strike out the enacting clause.

Mr. Prince moved to amend by instructing the committee to amend said bill by adding as section 2 the following :

"§ 2. Nothing in this act shall be so construed as to in any manner prohibit any individual or individuals from doing a banking business in their own names in connection with the words banker or bankers, or banking office of such individuals, and using the necessary printed form of check, draft or promissory note or books or other printed paper for doing such banking business, and sign indicating that they are doing such business."

Debate was had thereon, when

Mr. T.J . Campbell moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Prince, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion as amended, and it was determined in the affirmative.

On motion of Mr. Schuyler, and by unanimous consent, said bill was amended by adding as section 3 the following :

"§ 3. This act shall take effect on the 1st day of June, 1875."

Mr. Schuyler, from the committee on banks, reported back said bill amended as directed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 65 }
{ NOES 40 }

Those who voted in the affirmative, were

Alvord	Davis	Kirk	Schuyler
Barkley	Dessar	Kshinka	Scudder
Barrow	Edson	Lawrence	Shattuck
Beach	Farrar	Mackin	Sherman
Benedict	Fay	McGowan	Sherwood
Berry	Fish	McGroarty	Shiel

Braman	Fream	J. W. Miller	Silverman
Burtis	Friend	Oakley	Slingerland
Calkins	Gedney	Page	Speaker
T. C. Campbell	Green	Peck	Stacy
T. J. Campbell	Griffin	Prince	Talmage
Christopher	Hess	Rich	G. Taylor
Cleary	Hogan	Russell	Tremain
Cole	Holmes	Sanford	Vosburgh
Comstock	W. Johnson	Schenck	Waehner
Daggett	Kennaday	Schieffelin	Wenzel
Daly			

Those who voted in the negative, were

Bennett	Gallagher	Lawson	Seward
Bishop	Hauschel	Lewis	Smith
Bordwell	Hepburn	Lillybridge	Stauf
Broas	Hinckley	Lincoln	Struble
Brogan	Houghton	Merwin	Vedder
Clark	Hussey	W. Miller	Wellington
Cooke	Ives	Pierson	West
Costigan	W. A. Johnson	Pope	Willis
Decker	Krack	Ransom	Wurts
Ely	Law	Roscoe	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

"An act to authorize the election of town auditors in the several towns of this State and to prescribe their powers and duties."

"An act to authorize the formation of corporations for the safe keeping and guarantying of personal property."

"An act to provide for the organization and regulation of certain business corporations."

The privileges of the floor were extended to Hon. Lorenzo B. Collins, William Cauldwell and Alonzo Hawley.

The bill entitled "An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	Lawrence	Shattuck
Barkley	Fream	Lawson	Sherman

Barrow	Friend	Lewis	Sherwood
Beach	Gallagher	Lillybridge	Shiel
Benedict	Gedney	Mackin	Silverman
Bishop	Green	McGowan	Slingerland
Bordwell	Griffin	McGroarty	Smith
Braman	Hammond	Merwin	Stacy
Broas	Hauschel	W. Miller	Stephens
Brown	Hepburn	Oakley	Struble
Burtis	Hess	Page	G. Taylor
Calkins	Hinckley	Peck	W. F. Taylor
T. C. Campbell	Hogan	Prince	Tremain
T. J. Campbell	Holmes	Ransom	Vedder
Clark	Houghton	Rich	Vosburgh
Cole	Husted	Roscoe	Waehner
Comstock	Ives	Russell	Wellington
Cooke	W. Johnson	Schenck	Wenzel
Daggett	Kirk	Schieffelin	West
Edson	Krack	Schuyler	Willis
Faulkner	Kshinka	Scudder	Wurts
Fay	Law	Seward	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 257 of the Laws of 1864, entitled 'An act to revise and consolidate the laws in relation to the village of Ithaca, in the county of Tompkins,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Law	Schuyler
Badger	Faulkner	Lawrence	Scudder
Barkley	Fay	Lawson	Seward
Beach	Fish	Lewis	Shattuck
Benedict	Fream	Lillybridge	Sherwood
Bennett	Friend	Lincoln	Shiel
Berry	Gallagher	Mackin	Silverman
Bishop	Gedney	McGowan	Slingerland
Bordwell	Green	McGroarty	Smith
Broas	Griffin	Merwin	Speaker
Brown	Hauschel	J. W. Miller	Stacy
Calkins	Hess	W. Miller	Stephens
T. C. Campbell	Hinckley	Page	Struble
T. J. Campbell	Hogan	Peck	W. F. Taylor
Clark	Holmes	Pierson	Tremain
Cleary	Hussey	Prince	Wellington
Cole	Husted	Ransom	West
Comstock	Ives	Rich	Willis
Cooke	W. Johnson	Roscoe	Witbeck

Daggett	W. A. Johnson	Russell	Wurts
Daly	Krack	Schenck	Yost
Decker	Kshinka	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release to Patrick J. Wallace, as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kennaday	Schuyler
Badger	Decker	Krack	Scudder
Barkley	Dessar	Kshinka	Seward
Barrow	Edson	Law	Shattuck
Benedict	Faulkner	Lawrence	Sherwood
Bennett	Fay	Lawson	Shiel
Berry	Fish	Lewis	Silverman
Bishop	Fream	Lillybridge	Smith
Bordwell	Friend	Lincoln	Speaker
Braman	Gallagher	Mackin	Stacy
Broas	Gedney	McGowan	Stauf
Brogan	Green	McGroarty	Stephens
Brown	Griffin	Merwin	Struble
Burtis	Hauschel	J. W. Miller	G. Taylor
Calkins	Hepburn	W. Miller	W. F. Taylor
T. J. Campbell	Hess	Page	Tremain
Christopher	Hinckley	Peck	Waehner
Clark	Hogan	Pierson	Wellington
Cole	Holmes	Prince	West
Comstock	Hussey	Ransom	Willis
Cooke	Husted	Rich	Witbeck
Costigan	W. Johnson	Roscoe	Wurts
Daggett	W. A. Johnson	Russell	Yost
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents," being announced for a third reading,

Mr. G. Taylor moved to recommit said bill to the committee on ways and means, with instructions to strike out the tenth section of engrossed bill, and change the numbers of subsequent sections to correspond, and that said committee report forthwith.

Mr. Speaker put the question whether the House would agree to said motion to amend, and it was determined in the affirmative.

Mr. Alvord, from the committee on ways and means, reported back said bill amended as directed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor hereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Dessar	Houghton	Schuyler
Badger	Edson	Ives	Seward
Barkley	Ely	W. Johnson	Shattuck
Beach	Farrar	W. A. Johnson	Shiel
Benedict	Faulkner	Lawrence	Silverman
Bennett	Fay	Lawson	Smith
Berry	Fish	Lincoln	Speaker
Bishop	Fream	Mackin	Stauf
Bordwell	Friend	McGowan	Stephens
Broas	Gallagher	Merwin	G. Taylor
Brown	Gedney	J. W. Miller	W. F. Taylor
Calkins	Green	Oakley	Tewksbury
T. C. Campbell	Griffin	Page	Freman
Christopher	Hammond	Pierson	Waehner
Clark	Hauschel	Prince	Wellington
Cole	Hepburn	Rich	West
Cooke	Hess	Roscoe	Willis
Costigan	Hinckley	Russell	Witbeck
Daggett	Hogan	Sanford	Wurts
Daly	Holmes	Schenck	Yost
Decker			

Those who voted in the negative, were

Brogan Peck

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	W. Johnson	Sanford
Badger	Edson	W. A. Johnson	Schenck
Barkley	Ely	Kennaday	Schuyler
Barrow	Farrar	Kirk	Seward
Benedict	Faulkner	Kshinka	Shattuck

Berry	Fay	Lawson	Sherwood
Bishop	Fream	Lewis	Shiel
Bordwell	Friend	Lillybridge	Smith
Brogan	Gallagher	Lincoln	Speaker
Brown	Green	Mackin	Stacy
Burtis	Griffin	McGowan	Stauf
Calkins	Hauschel	Merwin	Stephens
T. C. Campbell	Hepburn	Oakley	G. Taylor
T. J. Campbell	Hess	Page	W. F. Taylor
Christopher	Hinckley	Peck	Tewksbury
Clark	Hogan	Pierson	Waehner
Cole	Holmes	Pope	Wellington
Cooke	Houghton	Prince	West
Costigan	Hussey	Ransom	Willis
Daggett	Husted	Rich	Wurts
Daly	Ives	Roscoe	Yost
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to release the interest of the people of the State of New York to Fritz Fanger, husband of Wilhelmina Fanger, deceased, in and to certain real estate situate in the town of Newtown, Queens county," was read a third a time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Husted	Schuyler
Badger	Decker	Ives	Scudder
Barkley	Dessar	W. Johnson	Seward
Beach	Edson	Kennaday	Shattuck
Beardsley	Ely	Kirk	Sherwood
Benedict	Farrar	Kshinka	Shiel
Bennett	Faulkner	Lewis	Smith
Berry	Fay	Lillybridge	Speaker
Bishop	Fream	Lincoln	Stacy
Bordwell	Friend	Mackin	Stephens
Brogan	Gallagher	McGowan	Struble
Brown	Gedney	Merwin	G. Taylor
Burtis	Green	J. W. Miller	W. F. Taylor
Calkins	Griffin	Oakley	Tremain
T. C. Campbell	Hammond	Pope	Vedder
T. J. Campbell	Hauschel	Prince	Vosburgh
Christopher	Hess	Ransom	Waehner
Clark	Hinckley	Rich	Wellington
Comstock	Hogan	Roscoe	West
Cooke	Holmes	Russell	Willis
Costigan	Houghton	Sanford	Wurts
Daggett	Hussey	Schenck	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	W. A. Johnson	Seward
Barkley	Farrar	Krack	Shattuck
Barrow	Faulkner	Kshinka	Sherwood
Beach	Fay	Law	Shiel
Beardsley	Fream	Lawson	Slingerland
Benedict	Friend	Lewis	Smith
Bennett	Gallagher	Lillybridge	Speaker
Bishop	Gedney	Mackin	Stacy
Bordwell	Green	McGowan	Stauf
Braman	Griffin	Merwin	Struble
Brogan	Hammond	J. W. Miller	G. Taylor
Burtis	Hauschel	Oakley	W. F. Taylor
Calkins	Hess	Peck	Tewksbury
T. C. Campbell	Hinckley	Pope	Tremain
T. J. Campbell	Hogan	Prince	Vosburgh
Christopher	Holmes	Ransom	Waehner
Clark	Houghton	Rich	Wellington
Comstock	Hussey	Roscoe	West
Cooke	Husted	Sanford	Witbeck
Costigan	Ives	Schuyler	Wurts
Decker	W. Johnson	Scudder	Yost
Edson			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Coffey	Hussey.	Page
Barkley	Comstock	Husted	Roscoe
Barrow	Cooke	Ives	Schuyler

Beach	Costigan	W. Johnson	Seward
Beardsley	Decker	W. A. Johnson	Shattuck
Benedict	Ely	Kennaday	Sherman
Berry	Farrar	Krack	Shiel
Bishop	Fay	Kshinka	Silverman
Bordwell	Fish	Law	Speaker
Braman	Fream	Lawson	Stacy
Brogan	Friend	Lewis	Stephens
Brown	Gedney	Mackin	Tewksbury
Burtis	Griffin	McGowan	Tremain
Calkins	Hauschel	McGroarty	Vosburgh
T. C. Campbell	Hess	Merwin	Witbeck
T. J. Campbell	Hogan	J. W. Miller	Wurts
Christopher	Holmes	Oakley	Yost
Cleary	Houghton		

Those who voted in the negative, were

Bennett	Hinckley	Pope	Scudder
Clark	Lillybridge	Prince	Struble
Daggett	Lincoln	Ransom	W. F. Taylor
Edson	W. Miller	Rich	Wellington
Faulkner	Peck	Russell	West
Green	Pierson	Sanford	Willis
Hammond			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the formation of corporations for the safe keeping and guarantying of personal property," being announced for a third reading,

Mr. T. C. Campbell moved to recommit said bill to the committee on general laws with instructions to amend as follows: Add to section 6 the following: "Stockholders shall be severally individually liable to the creditors of such corporation, to an amount equal to the amount of stock held by them respectively, for all debts and contracts made by such corporation, until the whole amount of capital stock fixed and limited by such corporation has been paid in, and a certificate thereof has been made and recorded as hereinafter prescribed," and that said committee report forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kennaday, from the committee on general laws, reported back said bill amended as directed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Faulkner	Kshinka	Seward
Badger	Fay	Law	Shattuck

Barkley	Fish	Lawson	Sherman
Barrow	Fream	Lincoln	Slingerland
Benedict	Friend	Mackin	Speaker
Bishop	Gallagher	McGowan	Stacy
Bordwell	Gedney	McGroarty	Stauf
Braman	Green	Merwin	Stephens
Brogan	Griffin	J. W. Miller	Struble
Brown	Hess	W. Miller	G. Taylor
Calkins	Hinckley	Oakley	W. F. Taylor
T. C. Campbell	Hogan	Page	Tewksbury
Christopher	Holmes	Peck	Vedder
Clark	Houghton	Pope	Vosburgh
Cleary	Husted	Rich	Wellington
Coffey	Ives	Roscoe	Wenzel
Cooke	W. Johnson	Russell	Willis
Daggett	W. A. Johnson	Schenck	Witbeck
Decker	Kennaday	Schieffelin	Wurts
Edson	Kirk	Schuyler	Yost
Farrar	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, on motion of Mr. Witbeck, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to authorize the village of Greenbush to issue bonds for the purpose of raising money."

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kirk	Schieffelin
Badger	Farrar	Kshinka	Seward
Barkley	Fay	Law	Shattuck
Barrow	Fish	Lawrence	Shiel
Beach	Fream	Lillybridge	Smith
Benedict	Friend	Lincoln	Speaker
Berry	Gallagher	Mackin	Stacy
Bishop	Gedney	McGowan	Stauf
Bordwell	Green	McGroarty	Stephens
Braman	Griffin	Merwin	Struble
Brogan	Hauschel	W. Miller	Tewksbury
Brown	Hinckley	Oakley	Tremain
Calkins	Hogan	Page	Vosburgh
Christopher	Holmes	Peck	Wellington
Clark	Houghton	Pope	Wenzel
Cleary	Husted	Rich	Wetherbee
Coffey	Ives	Roscoe	Willis
Cooke	W. Johnson	Russell	Witbeck

Costigan
Daggett
Decker

W. A. Johnson
Kennaday

Sanford
Schenck

Wurts
Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the organization and regulation of certain business corporations," being announced for a third reading,

On motion of Mr. Prince, and by unanimous consent, said bill was amended as follows: In line 7, section 36, engrossed bill, strike out the words "arising therefrom or by reason of," and insert the words "incurred during."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 4 }

Those who voted in the affirmative, were

Badger	Dessar	Kennaday	Schieffelin
Barkley	Edson	Kshinka	Schuyler
Barrow	Farrar	Law	Scudder
Beach	Fay	Lawrence	Seward
Benedict	Fream	Lincoln	Shattuck
Berry	Friend	McGowan	Sherman
Bishop	Gallagher	McGroarty	Shiel
Bordwell	Gedney	Merwin	Smith
Braman	Green	J. W. Miller	Speaker
Brown	Griffin	Oakley	Stauf
Burtis	Hammond	Page	Stephens
Calkins	Hauschel	Peck	W. F. Taylor
T. C. Campbell	Hinckley	Pierson	Tewksbury
T. J. Campbell	Hogan	Pope	Tremain
Christopher	Holmes	Prince	Vedder
Clark	Houghton	Roscoe	Vosburgh
Cleary	Hussey	Russell	Wellington
Cole	Ives	Sanford	Witbeck
Comstock	W. Johnson	Schenck	Wurts
Cooke			

Those who voted in the negative, were

Alvord	Costigan	Waehner	Willis
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Speaker presented a communication from the Secretary of State in answer to a resolution of the Assembly of March 8, calling for information relative to rapid transit railroad companies in the city of New York; which was laid on the table and ordered printed.

(See Doc. No. 99.)

Also, the report of the Auburn Prison Dam Commission; which was laid on the table and ordered printed.

(*See Doc. No. 100.*)

Mr. Braman introduced a bill entitled "An act to incorporate the city of Watervliet, in the county of Albany, State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Braman, said bill was ordered printed.

Mr. Vedder introduced a bill entitled "An act to legalize the resolution adopted at the last annual town meeting in the town of Olean, providing an appropriation by tax for the construction of a vault in the burial ground of that town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Green introduced a bill entitled "An act relating to the construction of side-walks upon Ellicott avenue in the village of Batavia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Kennaday introduced a bill entitled "An act to release to Maria Allen the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time; and referred to the committee on petitions of aliens.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Burtis introduced a bill entitled "An act respecting the compensation of agents, brokers and others," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Also, a bill entitled "An act regulating the pavements and keeping in repair the streets of cities and towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. McGroarty introduced a bill entitled "An act to confirm, reduce and levy certain assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to confirm the proceedings of supervisors and justices of the peace of the several towns in the county of Kings, relating to town sealers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to incorporate Franklin Lodge No. 182 Independent Order of Odd Fellows of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Stauff introduced a bill entitled "An act to condense and amend the several acts entitled or relating to an act in relation to the sale of bottles used by the manufacturers of mineral waters and others," passed May 7, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Also, a bill entitled "An act for the protection of passengers upon

street cars, and for the regulation thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. T. J. Campbell introduced a bill entitled "An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. McGowan introduced a bill entitled "An act in relation to the Croton aqueduct of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay necessary mains therefor, and to deliver it at higher elevations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to facilitate the closing up of insolvent and dissolved insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Brogan introduced a bill entitled "An act to authorize the New York Bowery Insurance Company to elect a first and second vice-president," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Costigan introduced a bill entitled "An act for the better regulation of fire and marine insurance companies, and for the disposition of their surplus assets," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Waehner introduced a bill entitled "An act to repeal chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bordwell introduced a bill entitled "An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Lincoln introduced a bill entitled "An act to provide for the governing of corporations by the stockholders," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Oakley introduced a bill entitled "An act to provide for the collection of taxes and assessments, and for the sale of lands for unpaid taxes and assessments, in Queens county, and to establish a registrar of arrears in said county, and a receiver of taxes in each town and city in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Oakley, said bill was ordered printed.

Mr. Prince introduced a bill entitled "An act to extend the time for

the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State, known as the Code of Procedure,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Witbeck introduced a bill entitled "An act to regulate the use of certain slips, piers, wharves and bulkheads on the North or Hudson river, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Brown introduced a bill entitled "An act to extend the time for the collection of taxes in the county of Rockland," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Pierson introduced a bill entitled "An act to amend an act entitled 'An act concerning the salt springs and the manufacture of salt,' passed April 15, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on manufacture of salt.

Mr. Bishop introduced a bill entitled "An act to amend an act entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Shiel introduced a bill entitled "An act in relation to Wesley Sterling Yard, late a reporter in the first judicial department of the supreme court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Alvord, Int. No. 655, entitled "An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office,' and authorizing the Commissioners of the Land Office to exchange lands on said reservation," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Griffin, Int. No. 337, entitled "An act to amend an act entitled 'An act making appropriations for the improvement of the wagon road leading westerly from the Adirondack railroad depot in the town of Harley, Saratoga Co., to Beecher's Hollow, in the town of Edinburgh, in said county, a distance of eighteen miles, being chapter 694 of the Laws of New York,' passed May 14, 1872," reported adversely thereto, which report was agreed to.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Lincoln, Int. No. 187, entitled "An act to assess and tax corporations, express, telegraph and navigation

companies, at the Comptroller's office in Albany," reported adversely thereto, which report was agreed to.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Barrow, Int. No. 517, entitled "An act to further provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," reported adversely thereto, which report was agreed to.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Schenck, Int. No. 644, entitled "An act to further provide for the payment of certain certificates issued to the militia of the State for services rendered in the war of 1812," reported adversely thereto, which report was agreed to.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 294, entitled "An act to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812," reported adversely thereto, which report was agreed to.

Mr. W. Johnson, from the committee on ways and means, to which was referred the bill introduced by Mr. Vosburgh, Int. No. 74, entitled "An act in relation to Congress hall, and to the protection of the new capitol from injury and damage from the effects of fire," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act in relation to Congress hall," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Stephens, Int. No. 244, entitled "An act to repeal chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868; also, chapter 282 of the Laws of 1869, entitled 'An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for repayment to said Marsh Land Company of moneys paid by them into the treasury of the State in pursuance of said chapter 864 of the Laws of 1868," reported, asking that they be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary; which report was agreed to, and said bill so referred.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Stephens, Int. No. 521, entitled "An act to fix the fees of justices of the peace in the county of Richmond," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hepburn, Int. No. 197, entitled "An act to repeal chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,'" reported adversely thereto.

On motion of Mr. Costigan, said report was laid on the table.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Costigan, Int. No. 180, entitled "An act to repeal chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,' passed December 17, 1874," reported adversely thereto.

Messrs. Prince and Hammond each rose in his place and expressed their dissent from the conclusions of the majority of the committee on said bill.

Mr. Costigan moved to disagree with the report of the committee, and that said bill be committed to the committee of the whole.

Debate was had thereon, when

Mr. Daly moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Costigan, and it was determined in the affirmative.

{ AYES 43 }
{ NOES 31 }

Those who voted in the affirmative, were

Badger	Daly	W. A. Johnson	Smith
Barkley	Friend	Krack	Speaker
Berry	Gallagher	Kshinka	Stauf
Brogan	Hammond	Lawson	W. F. Taylor
Brown	Hauschel	Lewis	Tremain
Burtis	Hepburn	W. Miller	Vosburgh
T. C. Campbell	Hess	Peck	Wenzel
Clark	Hinckley	Russell	Willis
Cole	Hogan	Schieffelin	Witbeck
Cooke	Holmes	Scudder	Wurts
Costigan	Ives	Silverman	

Those who voted in the negative, were

Alvord	Comstock	Kennaday	Seward
Barrow	Decker	Lawrence	Sherman
Benedict	Faulkner	Lincoln	Shiel
Bishop	Fay	Merwin	Struble
Braman	Green	Page	G. Taylor
Calkins	Griffin	Pierson	Vedder
T. J. Campbell	Houghton	Pope	Waehner
Christopher	W. Johnson	Schenck	

Pending the call, Mr. Prince asked to be excused from voting.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

Said bill was committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hepburn, Int. No. 250, entitled "An act to amend chapter 437 of the Laws of 1874, entitled 'An act in relation to publication of notices and publications,'" reported adversely thereto.

Mr. Hepburn moved to disagree with the report of said committee, and that said bill be committed to the committee of the whole.

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was rejected.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Petty, Int. No. 545, entitled "An act to enable husbands and wives to testify for each other in criminal trials," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Schenck, Int. No. 584, entitled "An act to legalize and confirm the official acts of John E. Ashe, as notary public," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to legalize the official acts of John E. Ashe, as notary public," which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Decker, at 2 o'clock and 35 minutes, the House adjourned.

THURSDAY, MARCH 18, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Francis Harison, of Troy.

The reading of the journal of yesterday was dispensed with.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to amend the charter of the village of Dansville.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the resolution relative to paying John Riley and George W. Aldridge, contractors, for work on State Reformatory at Elmira, with a message informing of concurrence in the passage of the same.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Alvord, from a majority of the select committee appointed to investigate into the tampering with the files of the House, relative to an Assembly bill (printed No. 106), submitted a report in writing as follows:

To the Honorable the Assembly:

The undersigned, a select committee appointed under the resolution of which the following is a copy:

"*Resolved*, That a select committee of six be appointed to investigate how the files of this House have been tampered with in the matter of Assembly bill No. 106, with power to send for persons and papers, and report the result as soon as may be."

Beg leave respectively to report that your committee, in the discharge of their duty, commenced the investigation on the 9th inst., and have diligently prosecuted the inquiry up to and until the 11th inst. One Charles Walters, a witness whose connection with the matter under inquiry was deemed of importance by your committee, has been sought for, but has not as yet been found, and anxious not to delay unnecessarily the action of the House, we have come to the conclusion to give the result of our examination.

We find, briefly, that the original manuscript bill which was had before the committee on affairs of cities is a fac-simile of the original printed bill, No. 106, and the one on which the majority and minority of that committee made their reports to the House, which now, with the bill *unchanged*, lie by order of the House on the table. We find clearly, both by personal examination and by evidence, that such original manuscript is defective in that part which omits to say any thing about the cost of or allowance for keeping the proposed pavement in repairs. The testimony of Gen. Averill shows conclusively and clearly that in the original draft of bill (of which the manuscript bill before the committee on affairs of cities purported to be a copy) the rate of keeping in repair, to wit: four and a half per cent of original cost per annum, was clearly written out; but in copying, the scrivener, being deceived by the word "period" occurring twice in close proximity, dropped two lines, thereby causing the error which, it is plain, was made, inasmuch as the restoration of the two lines in the substituted bill restores the connection and gives sense and meaning to the language.

Your committee further find that the said Charles Walters was employed by Gen. Averill to procure some corrected copies of bill No. 106, to be printed and taken to the Clerk of the House. From the testimony of Gen. Averill, your committee can but come to the conclusion, guided by surrounding circumstances, that there was no intention on his part violently, surreptitiously or otherwise, to change original bill No. 106 for the reprinted bill, but merely to have before the members a corrected bill, which would show the bill as proposed to be amended in committee of the whole, so as to restore the dropped sentence and complete the sense of the language of the bill.

Your committee are also perfectly satisfied that there was no complicity on the part of any of the employees, either in the desk of the Clerk or elsewhere, in any endeavor to commit a wrong by the exchange of bills on the file; but your committee come to the conclusion that the original order of the Clerk, after the reprinted bill had been brought to him at the request of Gen. Averill, was either accidentally or intentionally so mutilated that it was a seeming order from the Clerk's desk to the proper officers to make the change. This mutilation was evidently done by the boy Walters; but your committee fail to see any connection between the advocates of the measure and the mutilation of such order for the removal and substitution which was partially made.

While your committee would give the largest liberty to the citizen to furnish members with written or printed matter by way of information, they would suggest great care should be taken that the printed matter should be so distinctly marked or characterized as not to be confounded with the form or the type of legislative printing, and that the Clerk of the House if possible, under the vexation of his varied duties, should give neither verbal nor written instructions to be transmitted to other employees, except through the hands of a member or officer of the House. We are aware the practice for years has been different, and that Mr. Calkins took the wise precaution to give his instructions in writing and in a perfectly correct manner, but mutilation by an irresponsible person has led to all this trouble.

In conclusion, we would say that while we would not be slow not only to condemn but to recommend to severe punishment the parties interested in this bill, on either side, if we could have connected them with this act of substitution, yet we must say that if intended for a

fraud it could never have been successful, for the report of the committee on affairs of cities in the hands of the Clerk would have been the text, and the only one which could have been acted upon either by the committee of the whole or the House.

We respectfully recommend that the Speaker issue his order that only persons privileged under the rules, or by his special card of admission, or by special action of the House, be admitted under any circumstances upon the floor of the House during its sessions.

We, therefore, respectfully ask that we be considered as reporting that no blame or censure can be attributed either to the employees of the House or to the advocates of the bill.

All of which, together with the testimony taken, is respectfully submitted.

ALBANY, *March* 15, 1875.

TIMOTHY J. CAMPBELL,
THOMAS G. ALVORD,
FREDERICK W. SEWARD,
S. H. HAMMOND.

The undersigned dissent from some of the conclusions reached in this report, for reasons stated in the accompanying minority report.

JAMES DALY,
JACOB HESS,

Mr. Daly, from the minority of said committee, submitted a report in writing, as follows:

The undersigned, a minority of the select committee appointed pursuant to the above resolution, dissent from the majority report, and respectfully present the following:

Your committee find in the mass of contradictory evidence conceded facts sufficient to form an ample reply to the resolution under which they were appointed, without at all entering upon the question of the comparative veracity of the witnesses, viz.: That, as was alleged, the files of members had been tampered with on the night of March 8th; that the falsified bill, No. 106, was obtained from Weed, Parsons & Co., on the order of Gen. Averill, and substituted for original printed copy without any instructions from the House; that your committee, on comparing the reprinted bill with the original manuscript, as discussed in the cities' committee, find a very material discrepancy, amounting in the aggregate at least to \$260,000, but which is claimed to have been inadvertently omitted; that the irregularity (to use an exceedingly mild word) which characterizes this whole affair was brought about through the agency of one Charles Walters, then in the employ of Gen. Averill, but whom your committee thus far have been unable to find; that while your committee have no evidence of criminal intent on the part of the advocates of the bill, or collusion on the part of the officers of the House, yet there is sufficient to show that in this case a well established rule of the House has been departed from, and an irregularity permitted which this Assembly should not be slow to discountenance and condemn.

Were it not that your committee deem comment on such facts unnecessary, it might, perhaps, have been pertinent to add their regret that the officers of the House permitted on its floor any person whose reputation was so unsavory as they assert Walters' to be, or that the legislative printer should have considered himself at liberty, on a private order, to

print for any purpose a fac-simile of an Assembly bill with three entire lines interpolated.

Respectfully submitted,

JAMES DALY, *Chairman.*
JACOB HESS.

Mr. T. C. Campbell moved that the evidence and reports be printed.

Debate was had thereon, when

Mr. Brogan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. T. C. Campbell, and it was determined in the negative.

Mr. Alvord moved the adoption of the majority report.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 79 }
{ NOES 25 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawrence	Shiel
Barkley	Faulkner	Lawson	Silverman
Bennett	Fish	Lewis	Smith
Berry	Gallagher	Lincoln	Stacy
Bishop	Green	McGroarty	Struble
Bordwell	Griffin	J. W. Miller	G. Taylor
Braman	Hammond	Oakley	W. F. Taylor
Broas	Hauschel	Page	Tewksbury
Brogan	Hepburn	Peck	Tremain
Brown	Hinckley	Pierson	Vedder
Calkins	Houghton	Prince	Vosburgh
T. J. Campbell	Hussey	Ransom	Wellington
Clark	Husted	Reilly	Wenzel
Cleary	W. Johnson	Rich	West
Coffey	W. A. Johnson	Schenck	Willis
Cole	Keenan	Scudder	Witbeck
Comstock	Kennaday	Seward	Worth
Daggett	Kirk	Shattuck	Wurts
Decker	Krack	Sherman	Yost
Edson	Law	Sherwood	

Those who voted in the negative, were

Badger	Davis	Ives	Sanford
Beach	Dessar	Lillybridge	Schieffelin
Benedict	Fream	McGowan	Schuyler
Burtis	Friend	Merwin	Stauf
T. C. Campbell	Gedney	Roscoe	Stephens
Christopher	Hess	Russell	Talmage
Daly			

Pending the call, Messrs. Hogan and Costigan asked to be and were excused from voting.

This being the day assigned by the rules for the consideration of general orders,

The privileges of the floor were extended to Hon. Messrs. Bacon, Canfield and Lewis.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

Senate, "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof.' "

"An act to extend the time for the completion of the organization of companies heretofore incorporated."

"An act to amend and supplementary to an act entitled 'An act to incorporate the Mutual Trust Institution of New York,' passed April 24, 1872."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Smith, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered to a third reading.

Mr. Smith, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Smith, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to confirm and levy the assessment for the expense of constructing a sewer in Myrtle avenue, Snipe street and the Washington park, in the city of Albany."

"An act to amend an act entitled 'An act to incorporate the village of Portchester,' passed May 14, 1868."

"An act for the prevention of disease among animals."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Yost, from said committee, reported that they had stricken out the title of said first mentioned bill; which report was agreed to.

Mr. Yost, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Schieffelin moved to discharge the committee of the whole from the further consideration of said bill, and amend the title by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 818 of the Laws of 1868," and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Yost, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue in said city, and to contract with Isaac Holloway for such work."

"An act for the better protection of human life at public watering or bathing places."

"An act to extend the boundaries of the city of Utica westerly."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Barrow, from said committee, reported in favor of the passage of said bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize the city of Buffalo to issue bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to mortgages made by manufacturing companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Ransom introduced a bill entitled "An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue, from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Schuyler, from the committee on banks, to which was referred the bill introduced by Mr. Cole, Int. No. 366, entitled "An act to amend an act entitled 'An act to incorporate the Manhattan Loan and Trust Company of the city of New York,' passed June 26, 1873," reported in favor of the passage of the same, with amendments, and the title amended by striking out the words "to amend," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Schuyler, from the committee on banks, to which was referred the Senate bill entitled "An act to incorporate the Twelfth Ward Savings Bank in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Husted offered for the consideration of the House the following privileged resolution:

Whereas, The Legislature of 1874 by a concurrent resolution passed the following resolution, to wit:

Resolved (if the Senate concur), That the board of commissioners of the department of docks of the city of New York are hereby directed to cause to be made the necessary surveys, soundings and other examination of the water-front of all that part of Westchester county recently annexed to said city, from the easterly terminus of said water-front, at the mouth of the Bronx river, as already determined, and thence following the East river bank and the Harlem river, Spuyten Duyvil creek and

Hudson river to the northern terminus of said water-front on the Hudson river, as already determined, and to ascertain the capacities and requirements of said water-front for adaptation to commercial uses, in like manner as the said board has already caused to be surveyed and examined the previously recorded water-front of said city."

And whereas, The board of commissioners of the department of docks of the city of New York has not complied with the requirements of such resolution; therefore,

Resolved (if the Senate concur), That the said commissioners of the department of docks of the city of New York be and they are hereby required to report in writing to the Legislature within ten days after the passage of this resolution the reasons for such non-compliance.

On motion of Mr. Husted, said resolution was adopted.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent, reports of standing committees were taken up.

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 599, entitled "An act to amend an act to lay out and improve an avenue and concourse in continuation of an avenue heretofore laid out from Prospect park toward Coney Island, passed May 25, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Benedict, Int. No. 590, entitled "An act to further amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relating to the city of Schenectady,' and the several acts amendatory thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shiel, Int. No. 849, entitled "An act to amend an act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 28, 1873, passed May 6, 1874," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fream, Int. No. 164, entitled "An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Comstock, Int. No. 614, entitled "An act to provide a public park for the city of Lockport," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Oakley, Int. No. 621, entitled "An act to extend the time for the exercise and discharge of the official duties and for the completion of the work of the commissioners of

streets, roads, avenues and parks in Long Island City," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sherwood, Int. No. 587, entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 26, 1867, and the acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Prince, Int. No. 688, entitled "An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Waehner, and by unanimous consent, said bill was ordered to a third reading.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Brown, Int. No. 691, entitled "An act to extend the time for the collection of taxes in the county of Rockland," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Waehner, and by unanimous consent, said bill was ordered to a third reading.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Davis, Int. No. , entitled "An act in relation to the canals," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on canals, reported a bill entitled "An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers of the Canal Board, and to pay certificates of indebtedness on interest now outstanding," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Shiel introduced a bill entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Burtis, Int. No. 367, entitled "An act to amend an act entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway for the purposes of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874," reported in favor of the passage of the same, with the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 585 of the Laws of 1874," which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was

referred the bill introduced by Mr. Hinckley, Int. No. 650, entitled "An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Green, Int. No. 474, entitled "An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sanford, Int. No. 522, entitled "An act to legalize and authorize the town of Massena, in the county of St. Lawrence, to raise money to aid in repairing and putting Massena Springs in good condition," reported adversely thereto, which report was agreed to.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hinckley, Int. No. 289, entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild-deer, birds and fish,' passed April 26, 1871, so as to except Chautauqua lake from certain provisions of such act," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Wellman, printed No. 57, entitled "An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing the usual number of the insurance reports, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That the usual number of the Insurance Reports (ten copies for each member, officer and reporter) be printed as heretofore, and 1,500 copies of the fire and marine reports, and 2,000 copies of the life report, bound separately, for the use of the Superintendent of the Insurance Department.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of the report of the Commissioners of Emigration, reported in favor of the passage of the same, with amendments, in the words following:

Resolved (if the Assembly concur), That 500 copies of the report of the Commissioners of Emigration be printed for the use of the commissioners, and to be distributed by them to the several superintendents of the poor of the State and to the various societies which have hitherto been supplied with copies of such reports; also 250 copies for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Kshinka, Int. No. 395, entitled "An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' passed April 7, 1866," reported in favor of the passage of the same, with amendmepts, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Seward moved to take from the table the bill entitled "An act in relation to the Fifth avenue in the city of New York, and to the improvement thereof."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Daly moved to substitute the report of the minority for the report of the majority on said bill.

Debate was had thereon, when

Mr. Lincoln moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Daly, and it was determined in the negative.

{ AYES 28 }
{ NOES 74 }

Those who voted in the affirmative, were

Badger	Davis	Kennaday	Schieffelin
Benedict	Dessar	Mackin	Schuyler
Burtis	Gedney	McGowan	Shiel
T. C. Campbell	Hess	Merwin	Stauf
Christopher	Hogan	W. Miller	Talmage
Costigan	W. Johnson	Peck	W. F. Taylor
Daly	W. A. Johnson	Roscoe	Waehner

Those who voted in the negative, were

Alvord	Decker	Kshinka	Seward
Barkley	Edson	Law	Shattuck
Barrow	Farrar	Lawrence	Sherman
Bennett	Faulkner	Lawson	Sherwood
Berry	Fay	Lewis	Silverman
Bishop	Fream	Lillybridge	Smith
Bordwell	Friend	Lincoln	Speaker
Braman	Gallagher	McGroarty	Struble
Broas	Green	J. W. Miller	G. Taylor
Brogan	Hauschel	Oakley	Tewksbury
Brown	Hepburn	Pierson	Tremain
Calkins	Hinckley	Pope	Vedder
T. J. Campbell	Holmes	Prince	Vosburgh
Clark	Houghton	Ransom	Wenzel
Cleary	Hussey	Reilly	West

Cole
Comstock
Cooke
Daggett

Ives
Keenan
Kirk
Krack

Russell
Schenck
Snudder

Willis
Worth
Yost

Mr. Speaker then put the question whether the House would agree to the report of the majority of said committee, and it was determined in the affirmative.

Said bill was committed to the committee of the whole.

Mr. Willis moved to reconsider the action of the House agreeing to the adverse reports of the committee on ways and means on the three bills for the payment of certificates issued to the militia of the State for services rendered in the war of 1812, and that the consideration of said reports be made a special order for Wednesday next, immediately after reading the journal.

Mr. Alvord moved to lay said motion on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

On motion of Mr. Waehner, at 2 o'clock and 35 minutes, the House took a recess until 7½ o'clock.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus Reservation, and to provide for its management and maintenance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The privileges of the floor were extended to Hon. Dennis Burns.

Mr. Speaker announced the special order, being the consideration of the bill entitled as follows:

"An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs."

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Alvord moved that said bill be made a special order for Thursday evening next at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted moved that the bill known as the "Military Code" be made a special order for Monday evening, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said

motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Leave of absence was granted to Mr. Lincoln indefinitely, and to Mr. Schuyler until Wednesday next.

On motion of Mr. Oakley, at 9 o'clock and 45 minutes, the House adjourned.

FRIDAY, MARCH 19, 1875.

The House met pursuant to adjournment.

No clergyman present.

The reading of the journal of yesterday was dispensed with.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to legalize the acts of the board of trustees of the village of Charlotte."

"An act concerning the Hahnemann hospital of the city and county of New York."

"An act to repeal chapter 171 of the Laws of 1859, entitled 'An act to establish a free school in district No. 3, in the town of Cherry Valley,' passed April 11, 1853."

"An act to incorporate the Trustees of the Sustentation Fund of the Reformed Episcopal Church."

"An act to amend an act entitled 'An act in relation to the city court of Yonkers,' passed March 8, 1873."

"An act to authorize the common council of the city of Rochester to raise money to provide for the deficiencies in the funds of the board of education."

"An act to authorize the city of Rochester to issue its bonds for the construction of a new school building."

"An act to amend chapter 433 of the Laws of 1874, entitled 'An act relative to the Metropolitan Drawing-room Car Company,' passed May 10, 1874."

"An act to authorize Abraham C. Waldron and Simon Vischer (the only surviving members of the consistory of the ministers, elders and deacons of the Reformed Protestant Dutch church at Halfmoon) as a board of commission, to alienate certain real estate belonging to said incorporation."

"An act to legalize and confirm the official acts of William P. Lee, as notary public, in the city and county of New York."

"An act to repeal chapter 30 of the Laws of 1853, entitled 'An act to consolidate road districts 18 and 19 in the town of Ledyard, in the county of Cayuga, and to provide for the election of a pathmaster in said district,' passed March 14, 1853, and all acts in addition to and amendatory thereof."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bills entitled as follows:

"An act to provide for the incorporation of boards of trade.

"An act to release the interest of the people of the State of New

York in certain real estate, lying under the water of Seneca lake, to Hobart college."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department, trustees and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter, passed February 26, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

"An act authorizing the adjudication and settlement of certain claims arising out of the defalcations of the late treasurer of Columbia county with this State and the said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to authorize the commissioners of the town of Groton, in the county of Tompkins, appointed under and by virtue of chapter 433 of the Laws of 1866, to issue bonds, and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act and falling due in 1876 and 1877," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to incorporate the West Sandlake Fire Company in the town of Sandlake, Rensselaer county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act relative to the Farmers' Loan and Trust Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

A communication from his Excellency the Governor was received and read relative to the canals of this State.

Mr. Waehner moved to lay the same on the table, and that it be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Daly moved that the communication be printed and referred to the committee of the whole, and made a special order for Wednesday morning next immediately after the reading of the journal.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion of Mr. Daly, and it was determined in the affirmative.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows :

"An act to extend the time for the completion of the organization of companies heretofore incorporated."

"An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester.'"

"An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue in said city, and to contract with Isaac Holloway for such work."

"An act for the better protection of human life at public watering or bathing places."

"An act to extend the boundaries of the city of Utica westerly."

"An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens."

"An act to extend the time for the collection of taxes in the county of Rockland."

The Senate returned the bill entitled "An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,'" with a message informing that they had passed the same, with the following amendments :

Section 3, line 4, of engrossed bill, strike out the word "entire" and insert the word "net."

Same section, line 5, strike out the word "ten" and insert the word "twelve."

Add as section 7 the following :

"§ 7. No religious corporation shall be deemed to be dissolved for any neglect hitherto to exhibit an account or inventory of its real and personal estate, and the annual income thereof, provided that such account or inventory shall be exhibited within three years from the passage of this act."

Change section 7 to section 8.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Law	Shattuck
Barkley	Faulkner	Lawson	Sherman
Bennett	Fay	Lewis	Sherwood
Berry	Friend	Lillybridge	Shiel
Bishop	Gallagher	Mackin	Silverman
Bordwell	Green	McGroarty	Smith
Braman	Griffin	Merwin	Speaker
Broas	Hanrahan	J. W. Milier	Stacy
Brown	Hauschel	Oakley	Stephens
Calkins	Hess	Page	Struble
T. C. Campbell	Hinckley	Peck	G. Taylor

Christopher	Hogan	Pierson	W. F. Taylor
Cole	Holmes	Ransom	Tremain
Cooke	Houghton	Reilly	Vosburgh
Costigan	Ives	Rich	Wenzel
Daggett	Keenan	Russell	West
Daly	Kirk	Schenck	Witbeck
Davis	Krack	Seward	Wurts
Decker	Kshinka		

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Prince offered for the consideration of the House a resolution, in the words following :

Resolved (if the Senate concur), That 5,000 extra copies of the message of his Excellency the Governor relative to canals, be printed for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The Senate bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,'" as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative were,

Alvord	Edson	Law	Souder
Barkley	Farrar	Lawrence	Shattuck
Beach	Faulkner	Lawson	Sherwood
Benedict	Fay	Lewis	Shiel
Bishop	Fish	Lillybridge	Slingerland
Bordwell	Gallagher	Mackin	Smith
Bowen	Green	McGowan	Speaker
Braman	Griffin	McGroarty	Stacy
Brown	Hanrahan	Merwin	Stauf
Burtis	Hanschel	J. W. Miller	Struble
Calkins	Hinckley	Oakley	G. Taylor
T. C. Campbell	Hogan	Page	W. F. Taylor
T. J. Campbell	Holmes	Peck	Tewksbury
Christopher	Houghton	Pierson	Tremain
Cole	Hussey	Ransom	Vosburgh
Cooke	Ives	Reilly	Wenzel
Costigan	Keenan	Russell	Willis
Daggett	Kirk	Sanford	Witbeck
Daly	Kshinka	Schieffelin	Wurts
Davis			

For the negative,
Roscoe

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue in said city, and to contract with Isaac Holloway for such work," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 73 }
{ NOES 5 }

Those who voted in the affirmative, were

Alvord	Costigan	Houghton	Reilly
Barkley	Edson	Hussey	Sanford
Barrow	Ely	Ives	Schenck
Beardsley	Farrar	Keenan	Soudder
Benedict	Faulkner	Kennaday	Shattuok
Bennett	Fay	Kirk	Sherman
Berry	Fish	Kshinka	Sherwood
Bishop	Fream	Law	Shiel
Bordwell	Gallagher	Lawrence	Slingerland
Bowen	Gedney	Lewis	Smith
Braman	Green	Mackin	Stauf
Broas	Griffin	McGroarty	Struble
Burtis	Hammond	Merwin	G. Taylor
Calkins	Hanrahan	Oakley	W. F. Taylor
T. J. Campbell	Hauschel	Page	Vedder
Christopher	Hinckley	Peck	Vosburgh
Cleary	Hogan	Pierson	Willis
Coffey	Holmes	Ransom	Wurts
Cooke			

Those who voted in the negative, were

T. C. Campbell	Dessar	Lawson	Schieffelin
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the boundaries of the city of Utica westerly," being announced for a third reading,

By unanimous consent, on motion of Mr. Ives, said bill was amended as follows:

Add at the end of section 1 the following: "The territory herein described, lying between the present western boundary of the city of Utica and the western boundary as herein defined, shall be annexed to and form a part of the second ward of the city of Utica."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Ives	Schenck
Badger	Dessar	Keenan	Scudder
Barkley	Edson	Kirk	Seward
Barrow	Ely	Kshinka	Shattuck
Beardsley	Farrar	Lawrence	Sherman
Benedict	Faulkner	Mackin	Shiel
Bennett	Fay	McGowan	Smith
Berry	Fish	McGroarty	Speaker
Bishop	Fream	Merwin	Stauf
Bowen	Gedney	J. W. Miller	Struble
Braman	Green	Oakley	G. Taylor
Broas	Griffin	Page	Tewksbury
Brown	Hammond	Peck	Tremain
Burtis	Hess	Pierson	Vedder
T. C. Campbell	Hinckley	Pope	Vosburgh
Christopher	Hogan	Prince	Wenzel
Cleary	Holmes	Roscoe	Willis
Coffey	Houghton	Russell	Witbeck
Cooke	Hussey	Sanford	Wurts
Costigan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, three-fifths of all the members elected to the Assembly not being present.

{ AYES 69 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kennaday	Schieffelin
Barkley	Farrar	Kshinka	Scudder
Barrow	Faulkner	Lawrence	Seward
Bennett	Fay	Lillybridge	Shattuck
Berry	Fish	Mackin	Sherman
Bishop	Fream	McGowan	Sherwood
Bordwell	Gallagher	McGroarty	Shiel
Bowen	Green	Merwin	Stauf
Braman	Griffin	J. W. Miller	Struble
Broas	Hauschel	Oakley	G. Taylor
Brown	Hess	Page	W. F. Taylor
Burtis	Hinckley	Pierson	Vedder
T. C. Campbell	Hogan	Pope	Vosburgh
Coffey	Houghton	Prince	Wenzel
Cooke	Hussey	Reilly	Willis
Costigan	Ives	Russell	Witbeck
Daly	Keenan	Schenck	Wurts
Dessar			

Mr. Prince moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to authorize the commissioners of the town of Groton, in the county of Tompkins, appointed under and by virtue of chapter 433 of the Laws of 1866, to issue bonds and with the proceeds thereof to pay the bonds heretofore issued by said town under and by virtue of said act, and falling due in 1876 and 1877," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Keenan	Schieffelin
Badger	Dessar	Kennaday	Scudder
Barkley	Edson	Kshinka	Seward
Barrow	Farrar	Lawrence	Shattuck
Beardsley	Faulkner	Lawson	Sherman
Benedict	Fay	Mackin	Sherwood
Bennett	Fish	McGowan	Shiel
Berry	Fream	McGroarty	Stacy
Bishop	Gallagher	Merwin	Stauf
Bordwell	Gedney	J. W. Miller	Struble
Bowen	Green	W. Miller	G. Taylor
Braman	Griffin	Oakley	W. F. Taylor
Broas	Hammond	Page	Tewksbury
Brown	Hanrahan	Pope	Tremain
Burtis	Hauschel	Prince	Vosburgh
Calkins	Hinckley	Ransom	Waehner
T. C. Campbell	Hogan	Reilly	Wenzel
Christopher.	Houghton	Rich	Willis
Cleary	Hussey	Roscoe	Witbeck
Coffey	Ives	Russell	Wurts
Cooke	W. Johnson	Schenck	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to extend the time for the collection of taxes in the county of Rockland," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawrence	Shattuck
Barkley	Faulkner	Lawson	Sherman

Beardsley	Fay	Lillybridge	Sherwood
Benedict	Fish	Mackin	Shiel
Bennett	Fream	McGowan	Silverman
Berry	Gedney	McGroarty	Stacy
Bishop	Green	Merwin	Stauf
Bordwell	Griffin	W. Miller	Struble
Bowen	Hammond	Oakley	G. Taylor
Braman	Hanrahan	Pierson	W. F. Taylor
Broas	Hauschel	Pope	Tewksbury
Brown	Hogan	Prince	Tremain
Burtis	Houghton	Ransom	Vedder
Calkins	Hussey	Reilly	Vosburgh
T. C. Campbell	Ives	Rich	Waehner
Christopher	W. Johnson	Roscoe	Wenzel
Cleary	Keenan	Schenck	Willis
Coffey	Kennaday	Schieffelin	Witbeck
Cooke	Kirk	Scudder	Wurts
Costigan	Kshinka	Seward	Yost
Dessar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Prince moved to take from the motion to reconsider the vote by which the bill entitled "An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Lawrence	Sherman
Barkley	Dessar	Lawson	Sherwood
Barrow	Edson	Mackin	Shiel
Beardsley	Farrar	McGowan	Silverman
Benedict	Faulkner	McGroarty	Stacy
Bennett	Fish	Merwin	Stauf
Berry	Fream	J. W. Miller	Stephens
Bishop	Gallagher	W. Miller	Struble
Bordwell	Green	Oakley	G. Taylor
Braman	Griffin	Page	W. F. Taylor
Broas	Hammond	Pierson	Tewksbury
Brown	Hanrahan	Pope	Tremain
Burtis	Hauschel	Prince	Vedder
Calkins	Hogan	Reilly	Waehner
T. C. Campbell	Houghton	Roscoe	Wenzel
T. J. Campbell	Hussey	Schenck	West
Christopher	Ives	Schieffelin	Willis

Cleary
Coffey
Cole
Cooke

Keenan
Kirk
Kshinka

Scudder
Seward
Shattuck

Witbeck
Wurts
Yost

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Badger
Barkley
Barrow
Beardsley
Benedict
Bennett
Berry
Bishop
Bordwell
Braman
Broas
Brown
Burtis
Calkins
T. C. Campbell
T. J. Campbell
Cleary
Cooke
Costigan
Daly
Dessar

Edson
Farrar
Faulkner
Fay
Fream
Gallagher
Gedney
Green
Griffin
Hammond
Hanrahan
Hauschel
Hinckley
Hogan
Houghton
Hussey
Ives
Keenan
Kennaday
Kirk
Kshinka

Lawrence
Lawson
Mackin
McGowan
McGroarty
Merwin
J. W. Miller
W. Miller
Oakley
Page
Pierson
Pope
Prince
Ransom
Reilly
Rich
Roscoe
Russell
Schenck
Schieffelin
Scudder

Seward
Shattuck
Sherman
Sherwood
Shiel
Silverman
Slingerland
Speaker
Stacy
Stauf
Stephens
Struble
G. Taylor
W. F. Taylor
Tewksbury
Vedder
Waehner
Wenzel
Witbeck
Wurts
Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to extend the time for the completion of the organization of companies heretofore incorporated," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Barkley
Barrow

Faulkner
Fay
Fish

Kirk
Kshinka
Lawrence

Shattuck
Sherman
Sherwood

Beardsley	Fream	Lawson	Shiel
Benedict	Gallagher	McGowan	Slingerland
Bennett	Gedney	McGroarty	Stacy
Berry	Green	Merwin	Stauf
Bordwell	Griffin	Oakley	Stephens
Braman	Hammond	Page	Struble
Broas	Hanrahan	Pierson	W. F. Taylor
Brown	Hauschel	Pope	Tewksbury
Calkins	Hinckley	Prince	Tremain
T. C. Campbell	Hogan	Ransom	Vedder
T. J. Campbell	Houghton	Reilly	Waehner
Cleary	Hussey	Rich	Wenzel
Cole	Ives	Roscoe	Willis
Cooke	W. Johnson	Schenck	Witbeck
Costigan	Keenan	Scudder	Wurts
Edson	Kennaday	Seward	Yost
Farrar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Davis	Ives	Shattuck
Badger	Dessar	W. Johnson	Sherman
Barkley	Edson	Kennaday	Sherwood
Barrow	Farrar	Kshinka	Shiel
Beardsley	Faulkner	Lawson	Silverman
Benedict	Fay	Mackin	Slingerland
Berry	Fream	McGowan	Stacy
Bishop	Gallagher	McGroarty	Stauf
Bordwell	Gedney	Merwin	Stephens
Braman	Green	Oakley	Struble
Broas	Griffin	Page	G. Taylor
Brown	Hammond	Pope	W. F. Taylor
Calkins	Hanrahan	Prince	Vedder
T. C. Campbell	Hauschel	Ransom	Waehner
Cleary	Hess	Rich	Wenzel
Cole	Hinckley	Roscoe	Willis
Cooke	Hogan	Scheiffelin	Witbeck
Costigan	Houghton	Scudder	Wurts
Daly	Hussey	Seward	Yost

Those who voted in the negative, were

Bennett	Keenan	J. W. Miller	Schenck
T. J. Campbell	Kirk	Reilly	Smith
Coffey	Lawrence		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 307, entitled "An act to provide for the liquidation and payment of claims against the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. McGroarty, Int. No. 439, entitled "An act to extend the time for the collection of the assessments for the improvement of Fulton avenue in the town of New Lots, Kings county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Schuyler, Int. No. 661, entitled "An act for the better security of railroad employees for labor performed," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Waehner, Int. No. 610, entitled "An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,' and the several acts amendatory thereof," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act further to amend chapter 319 of the Laws of 1848, entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary societies,'" which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Decker introduced a bill entitled "An act authorizing the town clerk of the town of Andes, in Delaware county, to call a special town meeting, and authorizing the voters of said town to decide by ballot whether they will authorize the railroad commissioners of said town to sell and convey the town stock owned by said town in the Delhi and Middletown railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Edson introduced a bill entitled "An act to incorporate the Fredonia Library Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent, on motion of Mr. Hammond, the present order of business was laid on the table for the purpose of taking up the orders of business, introduction of bills and reports of committees.

Mr. Kshinka introduced a bill entitled "An act to amend certain sections of title 3, entitled 'Of partition of lands owned by several per-

sons,' of chapter 5 of part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hussey introduced a bill entitled "An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hanrahan introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Gallagher introduced a bill entitled "An act for the relief of George Orr," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on claims.

Mr. Lawson introduced a bill entitled "An act to authorize the common council of the city of Buffalo to provide for compensating Anthony Stettenberg for his costs, expenses and counsel fees incurred in defending an action brought against him to determine his right to the office of street commissioner of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Coffey introduced a bill entitled "An act to increase the powers of the common council of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Burtis introduced a bill entitled "An act to authorize supervisors to make compensation in case of separation or division of a school district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Cole introduced a bill entitled "An act providing for the more secure storage of oil in tanks or other receptacles," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Berry introduced a bill entitled "An act for the preservation of mink," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Rich introduced a bill entitled "An act to amend an act entitled 'An act to provide for the formation of societies for the prevention of horse stealing,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Daly introduced a bill entitled "An act to authorize railroad corporations hereafter organized under the act entitled 'An act to authorize the formation of railroad corporations, and to regulate the same,' passed April 2, 1850, and the several acts amendatory thereof and supplementary thereto, to build and operate railroads in the cities of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hammond introduced a bill entitled "An act requiring records to be made and preserved by corporations, municipal boards and publi

officers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Stephens introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, a bill entitled "An act in relation to the floating debt of the village of Edgewater," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Houghton introduced a bill entitled "An act to provide for paying the floating debt of the village of Saratoga Springs," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Benedict introduced a bill entitled "An act authorizing the city of Schenectady to raise money for school purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Shiel introduced a bill entitled "An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in the county of Westchester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Waehner introduced a bill entitled "An act to authorize the recovery of costs in certain actions brought by or in behalf of the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Scudder introduced a bill entitled "An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Kennaday introduced a bill entitled "An act to amend chapter 219, Laws of 1871, entitled 'An act to provide redress for words imputing unchastity to a female,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Wenzel, Int. No. 627, entitled "An act to provide for the removal of obstructions from the Delaware river and certain of its branches, and to make an appropriation therefor," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was

recommitted the bill introduced by Mr. Hammond, Int. No. 665, entitled "An act making appropriations for certain expenses of government," retaining its place on general orders, reported in favor of the passage of the same, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Hammond moved to make said bill a special order for Monday evening next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Farrar, Int. No. 596, entitled "An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 325, entitled "An act to amend section 67 of article 2, chapter 1, part 2, title 2 of the Revised Statutes, in relation to trusts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Schieffelin, Int. No. 633, entitled "An act to amend chapter 610 of the Laws of 1874, entitled 'An act to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the several towns of the county of Westchester,'" reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Willis, Int. No. 506, entitled "An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Bradley, Int. No. 42, entitled "An act to amend an act entitled 'An act for the incorporation of library companies,' passed June 17, 1853," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 395 of the Laws of 1853, entitled 'An act for the incorporation of library companies,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. King, Int. No. 25, entitled "An act to repeal sections 6, 8, 9, 10, 11, 12, 13 and 15, and the preamble of chapter 864 of the Laws of 1868, entitled 'An act to authorize the drainage of marsh lands,' passed June 9, 1868, also chapter 282 of the Laws of 1869, entitled 'An act to amend an act entitled An act to authorize the drainage of marsh lands,' passed April 22, 1869, and for the repayment to said Marsh Land Company of moneys paid by them into the treasury of the State in pursuance of said chapter 864 of the Laws of 1868," reported in favor of the passage of the same, with

amendments, which report was agreed to, and said bill committed to the committee of the whole.

Messrs. Waehner and Benediet dissented from said report.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ledwith, Int. No. 63, entitled "An act providing for the appointment of additional notaries public," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Sherman, Int. No. 161, entitled "An act to compel surviving partners to make and file an inventory and statement of copartnership, assets and liabilities," reported adversely thereto, which report was agreed to.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fish, Int. No. 431, entitled "An act in relation to the claims of county officers," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 491, entitled "An act in relation to Riverside avenue and park in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 534, entitled "An act to amend an act entitled 'An act to authorize the South Side Railroad Company of Long Island to build or purchase branches, extend its main lines, and to purchase the stock of the New York and Flushing Railroad Company, the Far Rockaway Branch Railroad Company, and Rockaway Railway Company, of Queens county, New York, and of the Hunter's Point and South Side Railroad Company, also of Queens county, New York, and to consolidate the said companies or any two or more of them into one corporation, and also to use steam dummies,' passed May 31, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Oakley, Int. No. 622, entitled "An act in regard to sewerage and other improvements in Long Island City," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Reilley, Int. No. 606, entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGowan, Int. No. 680, entitled "An act to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary

mains therefor, and to deliver it at higher elevations," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGowan, Int. No. 679, entitled "An act in relation to the Croton aqueduct of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shiel, Int. No. 464, entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. J. Campbell, Int. No. 13, entitled "An act to amend the charter of the American Institute of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 570, entitled "An act to provide means for the establishment and equipment of the building erected in that portion of the Central park formerly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1871, for the purpose of a museum of natural history," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Shiel, Int. No. 696, entitled "An act to amend an act entitled 'An act to authorize the construction of a railway and tracks in the towns of West Farms and Morrisania,' passed May 2, 1863," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Coffey, Int. No. 315, entitled "An act to amend chapter 945 of the Laws of 1867, entitled 'An act to regulate the use of certain slips, piers and wharves on the East river, in the city of New York,' passed May 23, 1867," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Messrs. Vosburgh, Hanrahan and Clark dissented from said report.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 345, entitled "An act to regulate the use of slips, piers and wharves of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Cleary, Int. No. 660, entitled "An act to amend an act entitled 'An act to amend chapter 356 of the Laws of 1837,' passed May 8, 1837, entitled 'An act for the appointment of a harbor master for the port of Albany,' passed April 4, 1866,"

reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. Kennaday, Int. No. 603, entitled "An act to amend an act entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,'" reported in favor of the passage of the same, with the title amended so as to read, "An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Middleton, Int. No. 66, entitled "An act to change the name of the Black River Insurance Company of Watertown, New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tewksbury, Int. No. 50, entitled "An act to prevent the taking of fish in or from the waters of Tonawand creek, so called, and its branches, in the counties of Wyoming and Genesee," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. King, printed No. 68, entitled "An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Green, Int. No. 669, entitled "An act relating to the construction of sidewalks upon Ellicott avenue, in the village of Batavia," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Edson, Int. No. 288, entitled "An act to amend an act entitled 'An act in regard to publishing the account of incorporated villages in this State,' passed May 6, 1874," reported in favor of the passage of the same, with the title amended so as to read "An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,' passed May 6, 1874," reported in favor of the passage of the same, which report was agreed to and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Clark, Int. No. 589, entitled "An act to enable the trustees of the village of Clyde, in the county of Wayne, to raise by tax the sum of six thousand dollars and interest thereon, wherewith to pay the indebtedness existing against said village," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Davis, Int. No. 631, entitled "An act to legalize the action of the village of Whitehall in acquiring title to certain lands and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Law, Int. No. 663, entitled "An act to authorize the trustees of the village of Salem, Washington county, N. Y., to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus and digging fire wells for the fire department in said village," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill, Int. No. 61, entitled "An act to amend an act entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Christopher, Int. No. 542, entitled "An act to amend an act entitled 'An act to alter the system of repairing the highways,' passed May 2, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by J. W. Miller, Int. No. 528, entitled "An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs-at-law of Francis Wilson (alien), late of said city, deceased," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Hogan, Int. No. 430, entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized, to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs-at-law of said Robert A. Lamont, deceased," reported that they have had the same under consideration, and ask to be discharged from the further consideration of the same, and recommend that said bill be referred to the committee on canals; which report was agreed to, and said bill so referred.

By unanimous consent, Mr. Badger introduced a bill entitled "An act to authorize the overseers of highways in the several road districts of this State to cause the removal of fences along public highways for the purpose of preventing the drifting of snow into such highways," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Speaker presented the proceedings of the Canal Board in reference to the rates of tolls to be established on the canals for the current year.

Mr. Alvord moved that said proceedings be printed and referred to the committee on canals.

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

(See Doc. No. 103.)

Mr. Waehner moved that this House do now adjourn until Monday evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 44 }
{ NOES 21 }

Those who voted in the affirmative, were

Badger	Christopher	Kennaday	Schenck
Barkley	Cole	Kirk	Seward
Beardsley	Cooke	Kshinka	Silverman
Benedict	Edson	Lawrence	Slingerland
Bennett	Farrar	Mackin	Speaker
Berry	Fream	McGroarty	Stauf
Bishop	Gedney	J. W. Miller	Stephens
Bordwell	Green	W. Miller	Vedder
Braman	Griffin	Pope	Vosburgh
Calkins	Hogan	Rich	Waehner
T. J. Campbell	Houghton	Roscoe	Wenzel

Those who voted in the negative, were

Alvord	Hauschel	Prince	Sherwood
Cleary	Hess	Ransom	Smith
Costigan	Hinckley	Reilly	Struble
Davis	Hussey	Schieffelin	Tewksbury
Hammond	Keenan	Scudder	Wurts
Hanrahan			

Thereupon, at 1 o'clock and 55 minutes, the House adjourned.

MONDAY, MARCH 22, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Love.

The reading of the journal of Friday, the 19th inst., was dispensed with.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bills entitled as follows:

"An act in relation to trust companies."

"An act in relation to the eligibility of electors of towns owning stocks of railway companies to be directors of such companies."

The Senate returned the resolution providing for printing the report of the Commissioners of Emigration, with a message informing of concurrence in the amendments of the Assembly thereto.

Ordered, That the Clerk return said resolution to the Senate.

The Senate returned the resolution calling for information from the commissioners of the department of docks in the city of New York, with a message informing of concurrence in the passage of the same.

Mr. Speaker presented the annual report of the New York State Agricultural Society; which was laid on the table and ordered printed.

(*See Doc No. 105.*)

Mr. Husted moved that the "Military Code" and the "Supply bill" be made the special order for to-morrow morning immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Whereas, God in his providence has taken from our midst an honored and respected associate; therefore,

Resolved, That we receive with saddened hearts the mournful intelligence that attests the death of our colleague, Hon. John M. Wetherbee.

Resolved, That during the brief period that his presence was vouchsafed to us, he won the confidence and respect of every member of this House by his urbanity, his decision of character, his unswerving integrity, and his manly and independent bearing.

Resolved, That a copy of these resolutions be forwarded to the family of the deceased.

Resolved, That a committee of five, on the part of the Assembly, be appointed to attend the funeral of the deceased.

Resolved, That in respect to his memory this House do now adjourn.

Eulogy was pronounced upon the character of deceased by Hon. James W. Husted.

The question being upon the adoption of the preamble and resolution,

On motion of Mr. Alvord, the question was taken by the rising of the House, and in silence.

The preamble and resolution were adopted unanimously.

Mr. Speaker announced as a committee provided for by said resolution, Messrs. Husted, Struble, Green, Cole and Bordwell.

Thereupon, at 7 o'clock and 45 minutes, Mr. Speaker declared the House adjourned.

TUESDAY, MARCH 23, 1875.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

The Senate returned the bill entitled as follows:

"An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies.'"

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Whereas, In the concurrent resolution adopted by the Senate and

Assembly in January, 1875, in relation to the improvement of the Kill von Kull, and known as Assembly document No. 29, certain geographical inaccuracies occurred which need to be corrected ; therefore,

Resolved (if the Assembly concur), That said resolutions be amended and corrected by striking out, on the 14th and 15th lines, the words "will divert the same (i. e. the channel) from the State of New York to a distant point and into the State of New Jersey;" also, on the 22d, 23d, 24th, 25th and 26th lines, the words "Whereas, the further effect of said dyke will be to detach a portion of the State of New Jersey, viz.: Shooter's Island, and place the same south of the proposed artificial channel and upon the New York side, thereby destroying the natural boundary line between the said States, which boundary line is determined by the center of the channel of said Kill von Kull;" and, also, on line 34, the words "it is in violation of the established boundary lines between said States."

Said resolution being concurrent,

Ordered, That the same be laid on the table.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Speaker presented the following communication:

ALBANY, N. Y., *March 22, 1875.*

HON. JEREMIAH MCGUIRE, *Speaker of the Assembly:*

DEAR SIR — The undersigned, printers to the Legislature, desire to inform the Assembly that the testimony accompanying the report of the committee on affairs of cities, made April 9, 1874, in regard to the management of the street cleaning bureau of the public board of the city of New York, has only partially been placed in their hands; that they have endeavored to procure the balance of said testimony by applying to the Clerk of the Assembly of 1874, as well as to the chairman of the committee on affairs of cities, and have failed to get any information in relation to it. The report with the testimony, as far as received, is printed, and a desire to finish the documents of 1874 makes it necessary for the undersigned to inform the Assembly of the imperfect condition of this report.

Yours, respectfully,

WEED, PARSONS & CO.

The Senate returned the bill entitled "An act to amend an act passed May 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,'" with a message informing that they had passed the same, with the following amendments:

Section 1, line 7, of engrossed bill, strike out the word "amounts" and insert in lieu thereof the word "accounts."

Section 3, line 6, after the word "in" strike out "a" and insert the word "the," and add "s" to the word "newspaper."

Same section, line 7, after the word "Suffolk" insert the words "designated for the publication of laws."

Same section, strike out all after the word "Suffolk," in line 13, down to and including the word "list" in line 15.

Same section, strike out all after the word "thereon," in line 20, down to and including the word "sale" in line 22.

Change the word "the" to "The," in line 23. Strike out the word "three" and insert the word "one." Strike out "s" in the word "dollars."

Same line, after the word "and" insert the word "legal."

After the word "advertising," in line 24, strike out the balance of the section, and insert the words "or selling the same."

Section 4, line 3, after the word "shall" insert the word "forthwith."

Strike out all after the word "treasurer," line 4, down to and including the word "treasurer," in lines 6 and 7.

After the word "treasurer," insert the word "who," in line 7.

Same line, after the word "shall," insert the word "thereupon."

Same line, after the word "purchaser," strike out the words "of any such lands."

Same section, strike out all after the word "bid," in line 15, down to and including the word "or," in line 20.

Same line, after the word "the," insert the word "said."

Same section, line 21, strike out the words "may in his discretion," and insert in lieu thereof the following: "shall immediately proceed to."

Line 22, change the word "bids" to "bid."

Line 23, strike out the word "were" and insert the word "was."

Amend the title so as to read as follows:

"An act to amend an act entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk,' passed May 27, 1873."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daly	Ives	Sanford
Barkley	Davis	W. A. Johnson	Schieffelin
Barrow	Decker	Krack	Soudder
Beach	Dessar	Lewis	Seward
Beardsley	Edson	Lillybridge	Shattuck
Berry	Farrar	Lincoln	Sherman
Bordwell	Faulkner	Mackin	Sherwood
Bowen	Fay	McAfee	Shiel
Braman	Fish	Merwin	Speaker
Broas	Fream	Muller	Stacy
Brown	Friend	Oakley	G. Taylor
Calkins	Gallagher	O'Keefe	Tewksbury
T. C. Campbell	Gedney	Page	Tremain
T. J. Campbell	Green	Peck	Vedder
Christopher	Griffin	Petty	Vosburgh
Clark	Hammond	Pierson	Waehner
Cleary	Hess	Pope	West

Comstock	Hinokley	Prince	Whitmore
Cooke	Houghton	Ransom	Willis
Costigan	Hussey	Reilly	Worth
Daggett	Husted	Roscoe	

For the negative,

Hauschel

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Alvord moved that the Clerk of the Assembly be requested to examine the files of the House for the purpose of finding the remaining testimony, and documents accompanying the same, in the matter referred to in the communication of Weed, Parsons & Co., just read, and hand the same over to them for the continuance and completion of the printing of such report.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a communication and resolutions from the board of aldermen of the city of New York, relative to the Greenwich Elevated Railway Company; which were read and laid on the table.

Leave of absence was granted to Mr. Wellington until Wednesday next.

By unanimous consent,

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of the message of his Excellency the Governor relating to canals, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 5,000 copies of the message of his Excellency the Governor relating to the canals, be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Merwin introduced a bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Speaker then announced the special orders, being the bills entitled as follows:

"An act to amend chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code.'"

"An act making appropriations for certain expenses of government."

The House then resolved itself into a committee of the whole, and proceeded to the consideration of said bills.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Oakley, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Oakley, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Alvord moved that said bill be made a special order for this evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Hammond, at 2 o'clock and 5 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

Mr. Speaker presented the annual report of the Homœopathic Medical Society of the State of New York; which was laid on the table and ordered printed.

(See Doc. No. 106.)

Mr. Speaker then announced the special order, being the bill entitled as follows:

"An act making appropriations for certain expenses of government."

The House then resolved itself into a committee of the whole and proceeded to the consideration of said bill.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Oakley, from said committee, reported in favor of the passage of said bill, with amendments.

The question being on agreeing to said report,

Mr. Husted moved the following amendment offered in committee of the whole:

"For the Inebriate Asylum at Binghamton, for the completion of the building, forty thousand dollars." Insert the same at the end of line 332, page 13.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 44 }
{ NOES 37 }

Those who voted in the affirmative, were

Bishop	Friend	McGroarty	Shiel
Bordwell	Gallagher	J. W. Miller	Slingerland
Bowen	Hinckley	Page	Smith
Brown	Hussey	Peck	Stephens
Burtis	Husted	Petty	Struble
Calkins	Kennaday	Ransom	Tewksbury
Clark	Krack	Russell	Tremain
Costigan	Law	Sanford	Wenzel
Ely	Lincoln	Schuyler	Whitmore
Fay	McAfee	Scudder	Willis
Fish	McGowan	Sherwood	Wurts

Those who voted in the negative, were

Alvord	Dessar	Kshinka	Prince
Barkley	Fream	Lewis	Reilly

Beardsley	Green	Mackin	Rich
Bennett	Griffin	Merwin	Roscoe
Berry	Hammond	Muller	Seward
Brogan	Hauschel	Oakley	Sherman
T. J. Campbell	Ives	O'Keefe	G. Taylor
Coffey	Keenan	Pierson	Vosburgh
Comstock	Kirk	Pope	Waehner
Daggett			

Mr. Alvord moved the following amendment offered in committee of the whole:

"To W. H. Bristol, late State Treasurer, the sum of eight thousand one hundred and forty-two dollars."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 30 }
{ NOES 51 }

Those who voted in the affirmative, were

Alvord	Fream	J. W. Miller	Sherwood
Beardsley	Friend	Page	Smith
Bishop	Gallagher	Petty	Stephens
Brogan	Hanrahan	Prince	Struble
Burtis	Hinckley	Ransom	Tewksbury
Calkins	Kirk	Reilly	Vosburgh
T. J. Campbell	Kshinka	Schayler	Willis
Costigan	McGroarty		

Those who voted in the negative, were

Barkley	Fish	McAfee	Scudder
Bennett	Green	McGowan	Seward
Berry	Griffin	Merwin	Sherman
Bordwell	Hammond	Muller	Shiel
Brown	Hauschel	Oakley	Slingerland
Clark	Hussey	O'Keefe	Speaker
Coffey	Ives	Peck	Stauf
Comstock	W. A. Johnson	Pierson	Tremain
Daggett	Keenan	Pope	Waehner
Decker	Kennaday	Rich	Wenzel
Dessar	Krack	Roscoe	Whitmore
Edson	Lincoln	Russell	Wurts
Fay	Mackin	Sanford	

Mr. Speaker then put the question whether the House would agree to said report, as amended, and it was determined in the affirmative.

Ordered, That said bill be engrossed and to a third reading.

Leave of absence was granted to Mr. W. F. Taylor indefinitely.

By unanimous consent, Mr. Petty introduced a bill entitled "An act to repeal section 2 of chapter 887 of the Laws of 1867, entitled 'An act to enable husband and wife, or either of them, to be a witness for or against the other, or on behalf of any party, in certain cases,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Waehner, at 10 o'clock and 5 minutes, the House adjourned.

WEDNESDAY, MARCH 24, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Berry.

The journal of yesterday was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act to authorize the board of supervisors of the county of Broome to provide for the erection of bridges over the Susquehanna and Chenango rivers, between the towns of Kirkwood and Conklin, and Chenango and Fenton, in said county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

The Senate returned the bill entitled as follows :

"An act to amend an act passed May 27, 1873, entitled 'An act to amend the statutes in reference to the collection of taxes in the county of Suffolk.'"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens," with a message informing that they had passed the same, with the following amendment :

Add at the end of section 1 the following :

"But nothing herein contained shall be construed as extending the time for the payment of the State tax or any part thereof by the county treasurer of said county to the Comptroller, as now provided by law."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Law	Sanford
Barkley	Farrar	Lawson	Schenck
Barrow	Faulkner	Lewis	Schieffelin
Beardsley	Fream	Lincoln	Schuyler
Benedict	Friend	Mackin	Souder
Bennett	Gallagher	McAfee	Seward
Berry	Gedney	McGowan	Shattuck
Bishop	Griffin	McGroarty	Sherman
Bowen	Hammond	Merwin	Sherwood
Broas	Hanrahan	J. W. Miller	Shiel
Brogan	Hauschel	W. Miller	Silverman
Brown	Hepburn	Muller	Slingerland

Burtis	Hess	Oakley	Speaker
Calkins	Hinckley	O'Keefe	Stauf
T. C. Campbell	Hogan	Page	Stephens
T. J. Campbell	Houghton	Peck	Struble
Christopher	Hussey	Petty	Tremain
Clark	Husted	Pierson	Vedder
Cole	Ives	Pope	Waehner
Costigan	W. Johnson	Prince	Wellington
Daggett	W. A. Johnson	Ransom	Wenzel
Daly	Kennaday	Reilly	Whitmore
Davis	Kirk	Rich	Willis
Decker	Kshinka	Roscoe	Wurts

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

By unanimous consent, Mr. Stephens introduced a bill entitled "An act to extend the time for the collection of taxes in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Stephens, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent, Mr. Edson introduced a bill entitled "An act to amend an act entitled 'An act to authorize the village of Dunkirk to issue bonds for the purpose of supplying said village with water, and to create a board of water commissioner,' passed April 13, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Leave of absence was granted to Mr. Holmes indefinitely.

By unanimous consent, Mr. Brown introduced a bill entitled "An act legalizing the village election held in the village of Upper Nyack on the 17th day of March, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

On motion of Mr. Waehner, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act providing for the appointment of additional notaries public," and said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 98 }
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Dessar	Kshinka	Schenck
Barkley	Edson	Law	Schieffelin
Barrow	Farrar	Lawson	Schuyler
Beardsley	Faulkner	Lewis	Scudder
Bennett	Fay	Lincoln	Shattuck
Berry	Fream	Mackin	Sherwood
Bishop	Friend	McAfee	Shiel
Bowen	Gallagher	McGowan	Silverman

Braman	Gedney	McGroarty	Slingerland
Broas	Griffin	Merwin	Smith
Brogan	Haurahan	J. W. Miller	Speaker
Calkins	Hauschel	Muller	Stauf
T. C. Campbell	Hepburn	Oakley	Stephens
T. J. Campbell	Hess	O'Keefe	Struble
Christopher	Hinckley	Peck	Talmage
Clark	Holmes	Petty	G. Taylor
Coffey	Houghton	Pierson	Tewksbury
Cole	Hussey	Pope	Tremain
Comstock	Husted	Ransom	Vosburgh
Cooke	Ives	Reilly	Whitmore
Costigan	W. Johnson	Rich	Willis
Daggett	W. A. Johnson	Roscoe	Witbeck
Daly	Keenan	Russell	Wurts
Davis	Kirk	Sanford	Yost
Decker	Krack		

Those who voted in the negative, were

Benedict	Prince	Sherman	Stacy
Hammond	Seward		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

On motion of Mr. Houghton, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend chapter 673 of the Laws of 1871, entitled 'An act to authorize the construction of sewers in the village and town of Saratoga Springs,' passed April 21, 1871," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kshinka	Schieffelin
Barkley	Farrar	Lawson	Schuyler
Barrow	Faulkner	Lincoln	Scudder
Beardsley	Fay	Mackin	Sherman
Benedict	Fish	McAfee	Sherwood
Bennett	Fream	McGowan	Shiel
Berry	Friend	McGroarty	Silverman
Bishop	Gallagher	J. W. Miller	Slingerland
Bowen	Gedney	W. Miller	Smith
Braman	Griffin	Muller	Speaker
Burtis	Hanrahan	Oakley	Stauf
Calkins	Hauschel	Page	Stephens
T. C. Campbell	Hepburn	Peck	Struble
T. J. Campbell	Hess	Petty	Talmage
Clark	Hinckley	Pierson	G. Taylor

Cole	Houghton	Pope	Tremain
Comstock	Hussey	Prince	Vedder
Cooke	Ives	Ransom	Vosburgh
Costigan	W. Johnson	Rich	Wenzel
Daggett	W. A. Johnson	Roscoe	Whitmore
Daly	Kennaday	Russell	Willis
Decker	Kirk	Sanford	Wurts
Dessar	Krack	Schenck	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. McAfee presented a petition of the Society of the New York Hospital, praying for the enactment of a law whereby the real estate of the corporation used for the charitable purposes thereof, and from which no income is received, shall be declared exempt from taxation; which was read and referred to the committee on ways and means.

By unanimous consent, Mr. Hess introduced a bill entitled "An act in relation to cleaning the streets of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Gallagher introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Buffalo,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Benedict introduced a bill entitled "An act further to amend chapter 229, Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Hepburn introduced a bill entitled "An act to amend section 3 of article 1, title 4, of chapter 8, part 3 of the Revised Statutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to publishing surrogates' notices and citations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Smith introduced a bill entitled "An act to regulate the use of musical instruments in streets and public places, and to preserve the peace and quiet of cities and towns," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. McGowan introduced a bill entitled "An act in relation to the improvement of the Croton aqueduct in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, a bill entitled "An act to provide for an assessment for regulating, grading and sewerage parts of the Tenth avenue and Ninety-third street, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Daly introduced a bill entitled "An act creating the office of inspector of public works, and providing for his appointment and compensation," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent, Mr. Cleary introduced a bill entitled "An act to authorize the city of Troy to refund a portion of its bonded debt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Prince introduced a bill entitled "An act to legalize the acts of Charles D. Barrows, as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, by unanimous consent, a bill entitled "An act in relation to water companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Faulkner introduced a bill entitled "An act to extend the time for the collection of taxes in the county of Livingston," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Faulkner, said bill was ordered to a third reading.

Mr. Speaker announced the special order, being the consideration of the special message of the Governor on canals.

Mr. Faulkner offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole, to whom is referred the message of his Excellency the Governor in relation to canals, recommend the House to adopt the following resolution:

Resolved (if the Senate concur), That there be appointed a joint committee of three in the Senate and five in the House (the committee on the part of the House to be appointed by the House), to investigate and examine into the question of fraud or collusion between the State officers and contractors, in reference to the letting or prosecution of any contracts for work upon the canals now in force or finished, and that said committee be empowered to employ counsel and a stenographer, and also have power to send for persons and papers, and that said committee be at liberty to report partially at any time, but shall be required to report in full within thirty days.

Mr. Davis offered the following as an amendment:

Resolved (if the Senate concur), That a select committee of five members of this House, viz.: Messrs. Sherman, T. C. Campbell, Daly, W. Miller and Barrow, be appointed to investigate the matters embraced in the special message of the Governor on the subject of the canals; that such committee have authority to send for persons and papers and to take testimony, and that they report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Legislature during the first week of its next annual session; and that they also furnish to the Attorney-General a copy of such testimony, in order that he may commence and conduct prosecutions in case it shall appear that the State has been defrauded by any contractor or public officer.

Resolved, That the said committee be authorized to employ a clerk

and stenographer, and to conduct such investigation during the recess of the Legislature.

The question being upon referring said amendment and resolution to the committee of the whole,

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to refer said resolutions to the committee of the whole, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the special message of his Excellency the Governor on canals, and the resolutions of Messrs. Faulkner and Davis, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. J. Campbell, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Alvord moved that said message and resolutions be made a special order for to-morrow morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent, Mr. Brogan introduced a bill entitled "An act to authorize the New York Bowery Insurance Company to elect one or more vice-presidents," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

The Senate returned the bill entitled as follows:

"An act to extend the time for the collection of taxes in the towns of North Hempstead and Oyster Bay, in the county of Queens."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. T. J. Campbell, at 2 o'clock and 10 minutes, the House adjourned.

THURSDAY, MARCH 25, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bancroft, of Troy.

The journal of yesterday was read and approved.

Mr. Speaker announced the special order to be the consideration of the special message of his Excellency the Governor on canals, and the resolutions of Messrs. Faulkner and Davis relative thereto.

On motion of Mr. Sherman, and by unanimous consent, said special order was laid on the table, for the purpose of taking up the orders of business introduction of bills and reports of committees.

Mr. Sherwood introduced a bill entitled "An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same, passed April 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Vedder introduced a bill entitled "An act in relation to corpora-

tions transacting business in other States," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bowen introduced a bill entitled "An act relating to lands in the old military tract sold by the State Engineer and Surveyor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public lands.

Mr. Lawrence introduced a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to locate and define the interests of the State of New York in unclaimed and overflowed lands of Staten Island," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Broas introduced a bill entitled "An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homoeopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Also, a bill entitled "An act to amend chapter 549 of the Laws of 1867, entitled 'An act to amend an act passed February 11, 1860, entitled An act in relation to the cutting of ice in the Hudson river, providing additional safeguards for travelers and teams, and conferring jurisdiction over offenses mentioned in said act,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to incorporate the New York State Association for the Better Preservation of Game and Fish," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Barkley introduced a bill entitled "An act to regulate the quality, supply and price of illuminating gas in the village of Catskill, and for the protection of manufacturers and consumers thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

Mr. McGroarty introduced a bill entitled "An act in relation to the Inebriates' Home for Kings county, and to require the incorporators thereof to take the constitutional oath of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Talmage introduced a bill entitled "An act to confirm, reduce and levy certain assessments for improving part of Union street, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to render the real estate of the Greenwood cemetery, in the county of Kings, liable to assessments for local improvements," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McGowan introduced a bill entitled "An act to provide for the

payment of services rendered in the opening and laying out of streets, avenues and public places in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Waehner introduced a bill entitled "An act to provide for the election of justices of the district courts in the city of New York, and to secure better administration in said courts and improve the practice thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to modify the jurisdiction of the several district courts of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Lewis introduced a bill entitled "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the city of Rome,' passed February 23, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Lincoln introduced a bill entitled "An act in relation to contracts of insurance," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend chapter 733 of the Laws of 1871, entitled 'An act in relation to actions against sheriffs,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended in furnishing substitutes, or in commutation, by the men who were drafted into the military service of the United States, and held to service in the several drafts under the enrollment act of the United States, entitled 'An act for enrolling and calling out the national forces, and for other purposes,' approved March 3, 1863, and the acts amendatory thereto, while the option of commutation by the payment of \$300 remained, and for the relief of the men who entered the service under said drafts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Friend introduced a bill entitled "An act in relation to the purchase by the United States of certain lands at West Point," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Daggett introduced a bill entitled "An act for the preservation of fish in the Salmon river, in Oswego county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Pope introduced a bill entitled "An act to authorize the Schenectady and Ogdensburg railroad to own certain lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Clark introduced a bill entitled "An act to provide for raising a tax upon certain property of railroad companies in this State, in whose

aid any town, city or village has created a bonded debt, any part of which remains unpaid, for the purpose of redeeming and paying off such debt," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Oakley introduced a bill entitled "An act to amend chapter 487 of the Laws of 1862, entitled 'An act defining and regulating the powers, duties and compensation of the captains of the port and harbor masters of the port of New York,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to authorize the religious society in the city of New York known as the Temple Bethel, to buy and hold land for cemetery purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Beardsley introduced a bill entitled "An act to revise and consolidate the several acts relative to the public schools in the city of Auburn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Green introduced a bill entitled "An act to provide for the drainage of Tonawanda swamp, in the counties of Genesee and Orleans," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hammond introduced a bill entitled "An act authorizing the taxation of stockholders of life, fire and marine insurance companies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Pierson introduced a bill entitled "An act to amend chapter 646 of the Laws of 1873, entitled 'An act to suppress intemperance, pauperism and crime,' passed May 29, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 8, entitled "An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Tobey, Int. No. 53, entitled "An act to appoint a reporter of the decisions of the supreme court," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Petty, Int. No. 332, entitled "An act providing for the election of bay constables in the towns of Brookhaven, Islip and Babylon, in the county of Suffolk, and to define their duties," reported the same for the consideration of the House, with amendments, and amended the title so as to read "An act providing for the election of bay constables in the towns of Brookhaven, Islip, Babylon and Huntington, in the county of Suffolk, and to define their duties, also to repeal

section 8 of chapter 234 of the Laws of 1870, entitled 'An act for the preservation of shell fish in the waters of the South bay, in Suffolk county,' which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. T. J. Campbell, Int. No. 14, entitled "An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Schenck, Int. No. 646, entitled "An act for the protection of persons keeping or boarding horses and mules," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Dessar, Int. No. 454, entitled "An act to amend the act entitled 'An act to extend the exemption of household furniture and working tools from distress for rent and sale under exemption,' passed April 11, 1842," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 456, entitled "An act to improve and simplify law reports," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Speaker, Int. No. 585, entitled "An act relative to the Civil Code," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kirk, Int. No. 536, entitled "An act to amend section 1, title 1, chapter 20, part 1 of the Revised Statutes," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. West, Int. No. 47, entitled "An act relative to the expenses of proceedings in certain criminal cases in the county of Saratoga," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Schenck, Int. No. 645, entitled "An act to provide for the better regulation of dealers in old gold and silver, or other jewelry, keepers of intelligence offices and junk dealers," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Beardsley, Int. No. 138, entitled "An act to provide for the continuance of certain suits or actions," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Russell, Int. No. 664, entitled "An act to prevent fraud and fraudulent practices upon or by keepers or owners of livery stables," reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was

referred the bill introduced by Mr. Sherman, Int. No. 426, entitled "An act to provide for the election of police justices in incorporated villages where there are now no police justices," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to provide for the election of police justices in villages," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Merwin, Int. No. 721, entitled "An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Ransom, Int. No. 651, entitled "An act to incorporate Rescue Hook and Ladder Company of Tonawanda, Erie county, N. Y.," reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Lincoln, Int. No. 220, entitled "An act determining duties and obligations, fixing conditions and limiting charges under which certain corporations, acting as common carriers, may conduct business in this State," reported adversely thereto.

Mr. Lincoln moved that said report lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Hogan, Int. No. 430, entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized, to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs at law of said Robert A. Lamont, deceased," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Barrow, Int. No. 656, entitled "An act to amend chapter 288 of the Laws of 1840, entitled 'An act respecting State stocks, the Commissioner of the Canal Fund and the Canal Board,'" reported, asking that they be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary; which report was agreed to, and said bill so referred.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Bishop, Int. No. 628, entitled "An act to extend the jurisdiction of the board of Canal Appraisers in relation to claims for lands taken or temporarily occupied upon the Chenango canal extension," reported, asking that they be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary; which report was agreed to, and said bill so referred.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. W. Miller, Int. No. 396, entitled "An act to amend an act entitled 'An act to incorporate the city of Newburgh,' passed April 23, 1865, and the several acts amendatory thereof," reported in favor of the passage of the same, with the title amended so as to read, "An act to amend an act entitled 'An act to amend an act entitled An act to incorporate the city of Newburgh,' passed April 22,

1865, and the several acts amendatory thereof, passed May 6, 1872," which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shiel, Int. No. 689, entitled "An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shiel, Int. No. 688, entitled "An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers, apportioned to the late town of Kingsbridge," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hauschel, Int. No. 53, entitled "An act to amend chapter 885 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 13, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kennaday, Int. No. 531, entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and for the completion and management of the said bridge by the said cities," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 52, entitled "An act to incorporate the Buffalo Exchange," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 78, entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 77, entitled "An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Fish, Int. No. 213, entitled "An act to amend an act passed April 3, 1867, entitled 'An act in relation to railroads held under lease,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. McGowan, Int. No. 681, entitled "An act to facilitate the closing up of insolvent and dissolved insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the bill introduced by Mr. Brogan, Int. No. 739, entitled "An act to authorize the New York Bowery Insurance Company to elect one or more vice-presidents," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Faulkner, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Fox, Int. No. 73, entitled "An act to amend the charter of the Arctic Fire Insurance Company in the city of New York, and to correct an act amending said charter, passed February 26, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Rich, Int. No. 709, entitled "An act to amend an act entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' passed April 22, 1862," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bordwell, Int. No. 685, entitled "An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Clark, Int. No. 548, entitled "An act to amend chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York, also of Clyde and Seneca rivers, in counties of Wayne and Cayuga,' and to include the county of Seneca within the provisions thereof," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, State of New York, also of Clyde and Seneca rivers, in counties of Wayne and Cayuga,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. McGroarty, Int. No. 674, entitled "An act to confirm the proceedings of supervisors and justices of the peace of the several towns in the county of Kings, relating to town sealers," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Schieffelin, Int. No. 682, entitled "An act to amend chapter 59 of the Laws of 1868, entitled 'An act to establish the office of receiver of taxes in the town of Greenburgh, in the county of Westchester, State of New York,'" reported in favor of the

passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Rich, from the committee on internal affairs, to which was recommended the bill introduced by the committee on internal affairs, Int. No. 470, entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Fay, Int. No. 400, entitled "An act to amend chapter 490 of the Laws of 1874, entitled 'An act to amend chapter 504 of the Laws of 1873, entitled An act in relation to a certain highway in the county of Hamilton appropriating certain non-resident highway moneys thereto, and repealing acts heretofore passed in relation thereto, passed May 14, 1873,' passed May 20, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The minority of the committee on internal affairs, submitted the following:

The undersigned, members of the committee on internal affairs, to which was referred the bill introduced by the committee on internal affairs, Int. No. 470, entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors," respectfully submit the accompanying copy of said bill as amended by them, as a minority report of said committee.

WILLARD JOHNSON,
GEO. E. YOST,
G. G. DECKER,
JOHN M. ROSCOE.

On motion of Mr. Alvord, said bill was ordered printed and committed to the committee of the whole.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of Assembly document No. 38, being the report accompanying papers of the commissioners in regard to quarantine jurisdiction between New York and New Jersey, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That there be printed for the use of the commissioners 1,000 copies of Assembly document No. 38, being the report accompanying papers of the commissioners in regard to quarantine jurisdiction between New York and New Jersey.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Edson, Int. No. 564, entitled "An act to amend sections 1, 3, 4 and 21, of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858, also, to amend sections 1 and 3 of chapter 98 of the Laws of 1864, entitled 'An act to amend an act entitled An act to make school district No. 9, in the town of Pomfret, a union free school district, passed March 17, 1858, and to legalize certain acts of the board of education of said town,' passed March 31, 1864," reported in favor of the passage of the same, with

amendments, and the title amended so as to read, "An act to amend section 1, section 4 and section 21 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858," which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Fream, Int. No. 110, entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864, as amended by an act passed April 16, 1867," reported adversely thereto, which report was agreed to.

Mr. Kirk, from the committee on charitable and religious societies, to which was recommitted the bill introduced by Mr. Hinkley, Int. No. 248, entitled "An act to amend an act entitled 'An act to incorporate the Chautauqua Lake Camp Meeting Association of the Erie Conference of the Methodist Episcopal Church,' passed April 13, 1871," reported the same for the consideration of the House, with amendments, and the title amended so as to read, "An act supplementary to chapter 474 of the Laws of 1871, entitled 'An act to incorporate the Chautauqua Lake Camp Meeting Association of the Erie Conference of the Methodist Episcopal Church,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Law, Int. No. 401, entitled "An act to incorporate the United Presbyterian Synod of New York," reported, asking that they be discharged from the further consideration of said bill, and that the same be referred to the committee on the judiciary; which report was agreed to, and said bill so referred.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Benedict, Int. No. 715, entitled "An act authorizing the city of Schenectady to raise moneys for school purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. G. Taylor, Int. No. 538, entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the Senate bill introduced by Mr. Bradley, Int. No. 24, entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," reported adversely thereto, which report was agreed to.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Stauff, Int. No. 676, entitled "An act to condense and amend the several acts entitled or relating to an act in relation to the sale of bottles used by the manufacturers of mineral waters and others, passed May 7, 1847," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Smith, Int. No. 341, entitled "An act for the protection of consumers of gas in the city of New York,"

reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Worth, Int. No. 78, entitled "An act to regulate the quality and price of illuminating gas, and to provide for the office of meter inspector for the cities of New York and Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Shiel, Int. No. 640, entitled "An act to regulate the price of and the quality of gas used in the city of Yonkers, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Schenck, Int. No. 101, entitled "An act to repeal an act in relation to the inspection of steam boilers in the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary dissented from said report.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Berry, Int. No. 106, entitled "An act to repeal an act in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan police district," reported adversely thereto, which report was agreed to.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Vedder, Int. No. 87, entitled "An act to amend an act entitled 'An act in relation to the inspection of steam boilers in the State of New York, except in the Metropolitan police district,' passed June 22, 1867," reported adversely thereto.

Mr. Vedder moved that said report lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Cole, Int. No. 420, entitled "An act to regulate the size of apple, pear and potato barrels," reported adversely thereto, which report was agreed to.

Mr. Edson, from the committee on petitions of aliens, to which was referred the Senate bill introduced by Mr. Booth, Int. No. 59, entitled "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Stephens, Int. No. 712, entitled "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Braman, Int. No. 561, entitled "An

act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Wetherbee, Int. No. 519, entitled "An act to amend section 1 of title 6 of chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' passed February 28, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Bishop, Int. No. 693, entitled "An act to amend an act entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water,'" reported in favor of the passage of the same, with the title amended so as to read, "An act to amend chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water,' passed April 25, 1874," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Stephens, Int. No. 520, entitled "An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Edson, Int. No. 563, entitled "An act to amend chapter 479 of the Laws of 1867, entitled 'An act to amend the charter of the village of Dunkirk,' passed April 20, 1867, and to extend the limits of said village," reported adversely thereto, which report was agreed to.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill, Int. No. 171, entitled "An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department, trustees and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 80 of the Laws of 1870, entitled 'An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York, and for the public defense, and entitled the 'Military Code.'"

"An act to extend the time for the collection of taxes in the county of Richmond."

"An act to amend chapter 673 of the Laws of 1871, entitled 'An act to authorize the construction of sewers in the village and town of Saratoga Springs,' passed April 21, 1871."

"An act to extend the time for the collection of taxes in the county of Livingston."

By unanimous consent, on motion of Mr. Faulkner, the bill entitled "An act to extend the time for the collection of taxes in the county of Livingston," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	Hussey	Roscoe
Badger	Daggett	Ives	Russell
Barkley	Daly	W., A. Johnson	Schenck
Barrow	Davis	Keenan	Schieffelin
Beach	Decker	Krack	Schuyler
Beardsley	Edson	Kshinka	Scudder
Benedict	Farrar	Lawson	Shattuck
Bennett	Faulkner	Lewis	Shiel
Berry	Fay	Lillybridge	Silverman
Bishop	Fish	Lincoln	Speaker
Bowen	Fream	McGowan	Stephens
Broas	Friend	McGroarty	Talmage
Brogan	Gallagher	Merwin	G. Taylor
Brown	Gedney	Muller	Tremain
Burtis	Green	O'Keefe	Vedder
Calkins	Griffin	Page	Vosburgh
T. C. Campbell	Hammond	Peck	Waehner
T. J. Campbell	Hauschel	Petty	Wenzel
Christopher	Hepburn	Pierson	Whitmore
Clark	Hess	Pope	Witbeck
Coffey	Hinckley	Prince	Worth
Cole	Hogan	Ransom	Wurts
Comstock	Houghton	Reilly	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, on motion of Mr. Stephens, the bill entitled "An act to extend the time for the collection of taxes in the county of Richmond," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Roscoe
Badger	Edson	Krack	Russell
Barkley	Farrar	Kshinka	Schenck
Barrow	Faulkner	Law	Schuyler

Beach	Fay	Lawson	Scudder
Beardsley	Fish	Lewis	Seward
Benedict	Fream	Lillybridge	Shattuck
Bennett	Friend	Lincoln	Silverman
Berry	Gallagher	Mackin	Stacy
Bishop	Gedney	McGowan	Stauf
Broas	Green	McGroarty	Stephens
Brogan	Hanschel	Merwin	Talmage
Brown	Hepburn	W. Miller	G. Taylor
Burtis	Hess	Muller	Tremain
Calkins	Hinckley	Oakley	Vedder
T. J. Campbell	Hogan	Page	Waehner
Christopher	Houghton	Peck	Wenzel
Clark	Hussey	Petty	Whitmore
Cole	Husted	Pierson	Witbeck
Comstock	Ives	Prince	Worth
Cooke	W. Johnson	Ransom	Wurts
Daggett	W. A. Johnson	Reilly	Yost
Daly	Keenan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Sanford indefinitely.

The privileges of the floor were extended to Hon. Mr. Henry L. Fish, Mr. Persons and Charles Crary.

The House then resolved itself into a committee of the whole on the special message of the Governor and the resolutions of Messrs. Faulkner and Davis.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. J. Campbell, from said committee, reported progress on the same, and asked and obtained leave to sit again.

The Senate returned the bill entitled "An act to extend the time for the collection of taxes in the county of Rockland," with a message informing of concurrence in the passage of the same, with the following amendment:

Add at the end of section 1 the following: "But nothing herein contained shall be construed as extending the time for the payment of the State tax, or any part thereof, by the county treasurer of said county to the Comptroller, as now provided by law."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Faulkner	Kshinka	Roscoe
Barkley	Fay	Lawrence	Russell
Barrow	Fish	Lawson	Schieffelin
Beach	Fream	Lewis	Schuyler
Benedict	Friend	Lillybridge	Scudder

Berry	Gallagher	Lincoln	Seward
Bishop	Gedney	Mackin	Shattuck
Broas	Green	McGowan	Silverman
Brogan	Griffin	McGroarty	Speaker
Brown	Hanrahan	Merwin	Stacy
Burtis	Hepburn	W. Miller	Stauf
Calkins	Hess	Muller	Stephens
T. C. Campbell	Hinckley	Oakley	Talmage
T. J. Campbell	Hogan	Page	G. Taylor
Christopher	Houghton	Peck	Tremain
Clark	Hussey	Petty	Vedder
Cole	Husted	Pierson	Vosburgh
Cooke	Ives	Pope	Wenzel
Daly	W. Johnson	Prince	Whitmore
Decker	W. A. Johnson	Ransom	Worth
Dessar	Keenan	Reilly	Wurts
Edson	Kennaday	Rich	Yost
Farrar	Krack		

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Waehner moved that the special order for this evening be made a special order for to-morrow evening immediately after the reading of the journal, and that the message of the Governor and the resolutions of Messrs. Faulkner and Davis be made a special order for this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Daly, at 2 o'clock and 20 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

By unanimous consent, Mr. Alvord introduced a bill entitled "An act to establish a State Board of Health, and to provide for the general health and for the registration of vital and other statistics, and to prevent the spread of disease in the several towns, cities and villages in the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Mr. Speaker announced the special order, being the special message of his Excellency the Governor and the resolutions relating thereto.

The House then resolved itself into a committee of the whole on said message and resolutions.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. T. J. Campbell, from said committee, reported progress on said message, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Husted, the committee of the whole was discharged from the further consideration thereof, and the different portions referred to the appropriate standing committees of the House.

Mr. T. J. Campbell, from said committee, also reported that the committee of the whole had recommended in connection therewith the adoption of the following resolution :

Resolved (if the Senate concur), That there be appointed a joint committee of three in the Senate and five in the House (the committee on the part of the House to be appointed by the Speaker) to investigate and examine into the question of fraud or collusion between the State officers and the contractors, in reference to the letting or prosecution of any contracts for work upon the canals now in force or finished, and that said committee be empowered to employ counsel and a stenographer, and also have power to send for persons and papers, and that said committee be at liberty to report partially at any time, but shall be required to report in full within thirty days.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Also, the following :

Resolved (if the Senate concur), That the Governor is hereby authorized to appoint a commission of three persons whose duty it shall be to investigate the affairs of the canals of this State, and especially the matters embraced in the special message of the Governor, communicated to the Legislature on the 19th day of March, 1875. Said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any papers in the custody or possession of any witness, touching the subject of such investigation, and to examine such witnesses and such public records of the State as they shall require for the purposes of such investigation. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and Legislature. They shall also furnish a copy of such testimony to the Attorney-General.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Waehner offered for the consideration of the House a resolution, in the words following :

Resolved, That the judiciary committee be directed to prepare and submit to this House a bill to provide for the appointment of a commission by the Governor to examine into the canal management of the State, and that said commission have power to send for persons and papers and compel the attendance of witnesses.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Brogan, at 10 o'clock and 50 minutes, the House adjourned.

FRIDAY, MARCH 26, 1875.

The House met pursuant to adjournment.

No clergyman present.

The reading of the journal of yesterday was dispensed with.

The Senate returned the bill entitled as follows :

"An act to extend the time for the collection of taxes in the county of Rockland."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows :

"An act to extend the time for the completion of the organization of companies heretofore incorporated."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows :

"An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873, and to further amend the charter of the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Speaker announced the special order, being the bill entitled as follows :

"An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs."

Mr. Alvord moved to suspend the special order, for the purpose of taking up the orders of business, introduction of bills and reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Willis introduced a bill entitled "An act further to provide for the payment of the certificates issued to the militia of the State for services in the war of 1812," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. G. Taylor introduced a bill entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Hauschel introduced a bill entitled "An act to provide for the re-opening of a part of Bloomingdale road or Broadway, in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Daly introduced a bill entitled "An act to define and limit the liens of contractors, laborers and others upon real estate in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hammond introduced a bill entitled "An act further to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Friend introduced a bill entitled "An act to confer upon the trustees of the incorporated villages of this State power to restrain and regulate the construction of wooden buildings, and to cause the removal or repair of unsafe walls, chimneys and other structures," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Ely introduced a bill entitled "An act permitting fishing with gill nets for suckers in Schuyler's lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Christopher introduced a bill entitled "An act to amend chapter 188 of the Laws of 1858, entitled 'An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair,' passed March 24, 1857, passed April 12, 1858," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Schieffelin introduced a bill entitled "An act to authorize the commissioners of lands under water to lay out draw-bridges," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Lawson introduced a bill entitled "An act in relation to the road formerly known as the Buffalo plank-road, in the county of Erie," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Ransom presented a remonstrance of 110 citizens of St. Lawrence county, against the passage of Assembly bill No. 58, entitled "An act to provide for the collection of taxes for highway purposes from railroad corporations; which was read and laid on the table.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 348, entitled "An act to appropriate the sum of three hundred thousand dollars for the use and benefit of the Board of Commissioners of Emigration," reported favor of the passage of the same, with amendments, and the title amended so as to read "An act to authorize the Board of Commissioners of Emigration to mortgage the lands of the State on Ward's Island, and to extinguish the liabilities against the said board," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Hammond, Int. No. 767, entitled "An act authorizing the taxation of stockholders of life, fire and marine

insurance companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Coe, Int. No. 79, entitled "An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the Senate bill, Int. No. 71, entitled "An act authorizing the adjudication and settlement of certain claims arising out of the defalcations of the late treasurer of Columbia county with this State and the said county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Silverman, Int. No. 568, entitled "An act to provide for the improvement of portions of Commercial street and Union place, in the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 571, entitled "An act to make further provision for the payment of further expenses of the local government of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gallagher, Int. No. 390, entitled "An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,' passed April 14, 1869," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGowan, Int. No. 733, entitled "An act to provide for an assessment for regulating, paving and sewer-ing parts of the Tenth avenue and Ninety-third street, in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGowan, Int. No. 732, entitled "An act in relation to the improvement of the Croton aqueduct in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hanrahan, Int. No. 373, entitled "An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving and embellishing the public park in said city and the approaches thereto, and providing for the payment of such bonds and the expenditures of such money," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGowan, Int. No. 752, entitled "An act to provide for the payment of services rendered in the opening and laying out of streets, avenues and public places in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cleary, Int. No. 735, entitled "An act to authorize the city of Troy to refund a portion of its bonded debt," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. T. J. Campbell, Int. No. 509, entitled "An act in relation to the department of docks in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Kennaday, Int. No. 670, entitled "An act to release to Maria Allen the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Vedder, Int. No. 446, entitled "An act to release to Josephine Robright the real estate of which Frederick Robright died seized," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. McAfee, Int. No. 218, entitled "An act to confirm the title of Andrew Stevenson in certain real estate, and to enable him to take, hold, convey and transmit the same by descent or devise, and to release to him any interest of this State therein," reported adversely thereto, which report was agreed to.

By unanimous consent, Mr. Dessar introduced a bill entitled "An act to facilitate the collection of arrears of assessments in the city of New York, and to compromise proceedings to vacate the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, on motion of Mr. Clark, the committee of the whole was discharged from the further consideration of the bill entitled "An act to enable the trustees of the village of Clyde, in the county of Wayne, to raise by tax the sum of six thousand dollars and interest thereon, wherewith to pay the indebtedness existing against said village," and the same was ordered to a third reading.

Said bill being announced for a third reading,

On motion of Mr. Clark, and by unanimous consent, said bill was amended by inserting in printed bill, line 4, after the word "interest" the word "thereon," and in same line, after the word "eighteen," by inserting the word "hundred."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor hereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Keenan	Rich
Badger	Edson	Kennaday	Roscoe
Barkley	Ely	Krack	Russell
Barrow	Farrar	Kshinka	Schenck
Bennett	Faulkner	Law	Schieffelin
Berry	Fay	Lawrence	Schnyler
Bishop	Fream	Lawson	Seward
Bordwell	Friend	Lewis	Shattuck
Bowen	Gallagher	Lincoln	Sherman
Braman	Gedney	Mackin	Sherwood
Broas	Green	McAfee	Shiel
Brogan	Griffin	McGowan	Silverman
Brown	Hammond	McGroarty	Slingerland
Calkins	Hauschel	Merwin	Smith
T. C. Campbell	Hess	Muller	Stacy
T. J. Campbell	Hinckley	Oakley	Tremain
Christopher	Hogan	Page	Vedder
Clark	Houghton	Peck	Waehner
Cole	Hussey	Petty	Wenzel
Comstock	Husted	Pierson	Whitmore
Cooke	W. Johnson	Pope	Willis
Daly	W. A. Johnson	Ransom	Witbeck

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act providing for the appointment of additional notaries public," with a message informing of non-concurrence in the amendments of the Assembly thereto, and that they have appointed a committee of conference thereon, consisting of Messrs. Wooden, Tobey and Gross, and request a like committee on the part of the Assembly.

Mr. Waehner moved that the request of the Senate be granted.

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Waehner, Sherman, Cooke, McAfee and Lincoln.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

By unanimous consent, Mr. T. J. Campbell introduced a bill entitled "An act to prevent the commission of frauds in the purchase and sale of real estate," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Scudder, Int. No. 718, entitled "An act to legalize and confirm the vote of the electors of the town of

Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kennaday, Int. No. 719, entitled "An act to amend chapter 219 of the Laws of 1871, entitled 'An act to provide redress for words imputing unchastity to a female,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Vedder, Int. No. 668, entitled "An act to legalize the resolution adopted at the last annual town meeting of the town of Olean, providing an appropriation by tax for the construction of a vault in the burial ground of that town," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Decker, Int. No. 698, entitled "An act authorizing the town clerk of the town of Andes, in Delaware county, to call a special town meeting, and authorizing the voters of said town to decide by ballot whether they will authorize the railroad commissioner of said town to sell and convey the town stock owned by said town in the Delhi and Middletown railroad," reported in favor of the passage of the same, with amendments, and the title amended so as read, "An act relating to stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lincoln, Int. No. 618, entitled "An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons,' passed June 25, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Waehner, Int. No. 67, entitled "An act to appoint a reporter of the decisions of the supreme court," retaining its place on general orders, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill recommitted to the committee of the whole.

On motion of Mr. Waehner, the Senate bill of the same title was substituted for said bill.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hussey, Int. No. 701, entitled "An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga, N. Y.," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was

referred the bill introduced by Mr. Prince, Int. No. 736, entitled "An act to legalize the acts of Charles D. Barrows as notary public," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Prince, Int. No. 17, entitled "An act relating to the court of arbitration of the Chamber of Commerce of the State of New York, and to provide for the expenses thereof, and for appeals therefrom," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lincoln, Int. No. 145, entitled "An act in relation to executors and administrators and surrogates' courts," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Alvord, Int. No. 365, entitled "An act to amend an act entitled 'An act relative to disputed wills,' passed April 15, 1853," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hepburn, Int. No. 729, entitled "An act to amend section 3 of article 1, title 4 of chapter 8, part 3 of the Revised Statutes," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 717, entitled "An act to authorize the recovery of costs in certain actions brought by or in behalf of the mayor, aldermen and commonalty of the city of New York," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Clark, Int. No. 370, entitled "An act providing for the appointment of additional notaries public," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lawrence, Int. No. 253, entitled "An act in relation to persons, corporations and associations doing business as diamond brokers or loan offices in the several cities of this State," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Page, Int. No. 460, entitled "An act to authorize the city of Oswego, in the county of Oswego, to grant and convey an easement in certain real estate," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Houghton, Int. No. 393, entitled "An act to amend an act entitled 'An act in relation to the judiciary,' passed May 12, 1847," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. T. J. Campbell, Int. No. 409, entitled "An act in relation to police and courts in the city and county of New York," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kshinka, Int. No. 417, entitled "An act to abolish the fees of the justices' court of the city of Albany, and

to regulate attorneys' fees in said court," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 7, entitled "An act in relation to the powers and jurisdiction of the superior court of Buffalo and of the judges thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Wellman, Int. No. 69, entitled "An act in relation to mortgages made by manufacturing companies," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Alvord, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act relating to stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county," and said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	W. A. Johnson	Schenck
Badger	Farrar	Kennaday	Schuyler
Barkley	Faulkner	Krack	Seward
Beach	Fay	Kshinka	Shattuck
Berry	Fish	Law	Sherwood
Bishop	Fream	Lawrence	Shiel
Bowen	Friend	Lawson	Silverman
Braman	Gallagher	Lincoln	Smith
Broas	Gedney	Mackin	Speaker
Brogan	Green	McGroarty	Stacy
Calkins	Griffin	J. W. Millor	G. Taylor
T. C. Campbell	Hanrahan	Oakley	Tremain
T. J. Campbell	Hauschel	Page	Vedder
Christopher	Hess	Peck	Vosburgh
Clark	Hinckley	Petty	Waehner
Cole	Hogan	Pierson	Wenzel
Comstock	Houghton	Ransom	Whitmore
Cooke	Hussey	Reilly	Willis
Daggett	Husted	Rich	Witbeck
Daly	W. Johnson .	Russell	Yost
Edson			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, and on motion of Mr. Gallagher,

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, asking for the return to this House, for the

purpose of amendment, of Assembly bill (not printed) entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Husted introduced a bill entitled "An act to amend section 157 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Faulkner introduced a bill entitled "An act to amend the charter of the village of Avon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Badger, Int. No. 720, entitled "An act to authorize overseers of highways in the several road districts of this State to cause the removal of fences along public highways, for the purpose of preventing the drifting of snow into such highways," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Page, Int. No. 658, entitled "An act to authorize the formation of corporations to improve rivers or other streams, their branches and tributaries, in this State, for the purpose of creating and maintaining public highways for moving logs, timber and lumber to market," reported, asking that they be discharged from the further present consideration of said bill, and that the same be printed and recommitted to said committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. McGroarty, Int. No. 440, entitled "An act to amend an act entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush in said county,' and passed May 21, 1872," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 809 of the Laws of 1872, entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush, in said county,'" which report was agreed to, and said bill committed to the committee of the whole.

The House then resolved itself into a committee of the whole on the bill entitled as follows:

"An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported that upon the division of a question before said committee no quorum was present.

Mr. Husted moved a call of the roll.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The roll was then called, when the following members answered to their names:

Alvord	Dessar	Law	Russell
Badger	Ely	Lawrence	Schenck
Barkley	Farrar	Lawson	Schieffelin
Benedict	Faulkner	Lewis	Schuyler
Bennett	Fay	Lincoln	Scudder
Bishop	Fish	Mackin	Seward
Bordwell	Fream	McAfee	Shattuck
Bowen	Gallagher	McGowan	Sherman
Braman	Gedney	McGroarty	Sherwood
Brogan	Green	Merwin	Shiel
Brown	Griffin	J. W. Miller	Silverman
Burtis	Hanrahan	W. Miller	Smith
Calkins	Hauschel	Muller	Speaker
T. C. Campbell	Hepburn	Oakley	Stacy
T. J. Campbell	Hess	O'Keefe	Stauf
Christopher	Hogan	Page	Struble
Clark	Houghton	Peck	G. Taylor
Cleary	Hussey	Petty	Tremain
Coffey	Husted	Pierson	Vedder
Cole	W. Johnson	Prince	Vosburgh
Comstock	W. A. Johnson	Ransom	Waehner
Cooke	Keenan	Reilly	Wenzel
Costigan	Kirk	Rich	Whitmore
Daly	Krack	Roscoe	Willis

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A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to authorize the extension of the time for the collection of taxes in the several towns of the State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Bowen, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Schenck
Badger	Ely	Krack	Schieffelin
Barkley	Farrar	Lawrence	Schuyler
Benedict	Faulkner	Lawson	Scudder
Bennett	Fay	Lincoln	Seward
Bishop	Fish	McAfee	Sherman
Bordwell	Fream	McGowan	Sherwood
Bowen	Gallagher	McGroarty	Shiel
Broas	Gedney	Merwin	Silverman
Brogan	Green	J. W. Miller	Smith
Brown	Griffin	W. Miller	Speaker
Burtis	Hanrahan	Muller	Stauf
Calkins	Hauschel	Oakley	Stephens

T. C. Campbell	Hepburn	Page	Struble
T. J. Campbell	Hogan	Petty	Tremain
Christopher	Houghton	Pierson	Vedder
Clark	Hussey	Prince	Vosburgh
Cleary	Husted	Ransom	Wenzel
Cole	W. Johnson	Rich	Whitmore
Comstock	W. A. Johnson	Russell	Willis
Costigan	Kennaday		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The House again resolved itself into a committee of the whole on the bill entitled as follows :

“An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs.”

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported progress on said bill, and asked and obtained leave to sit again.

Mr. T. C. Campbell moved that said bill be made a special order for Tuesday evening next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. McGroarty, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled “An act to extend the time for the collection of the assessments for the improvement of Fulton avenue in the town of New Lots, Kings county,” and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Keenan	Rich
Badger	Farrar	Kennaday	Roscoe
Barkley	Faulkner	Kirk	Russell
Beach	Fay	Krack	Schenck
Benedict	Fish	Lawrence	Schuyler
Bishop	Fream	Lincoln	Scudder
Bordwell	Gallagher	Mackin	Seward
Bowen	Gedney	McGowan	Sherman
Braman	Green	Merwin	Sherwood
Broas	Griffin	J. W. Miller	Shiel
Brogan	Hanrahan	Muller	Smith
Brown	Hauschel	Oakley	Speaker
Calkins	Hess	O'Keefe	Stauf
T. C. Campbell	Hinckley	Page	Stephens
T. J. Campbell	Hogan	Peck	Struble

Christopher	Houghton	Petty	G. Taylor
Clark	Hussey	Pierson	Vosburgh
Cleary	Husted	Pope	Wenzel
Cole	W. Johnson	Prince	Whitmore
Comstock	W. A. Johnson	Ransom	Willis
Cooke			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Farrar, and by unanimous consent, the bill entitled "An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased," was ordered to a third reading.

On motion of Mr. T. J. Campbell, at 1 o'clock and 10 minutes, the House adjourned until Monday evening at 7½ o'clock.

MONDAY, MARCH 29, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Graham.

The journal of Friday, the 25th inst., was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to enable the trustees of the village of Clyde, in the county of Wayne, to raise by tax the sum of six thousand dollars and interest thereon, wherewith to pay the indebtedness existing against said village."

"An act to amend chapter 673 of the Laws of 1871, entitled 'An act to authorize the construction of sewers in the village and town of Saratoga Springs,' passed April 21, 1871."

Ordered, That the Clerk deliver said bills to the Governor.

The privileges of the floor were extended to Hon. Messrs. Northup, Phillips and Woolsey.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, asking for the return to this House, for the purpose of amendment, of Assembly bill, not printed, entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

Ordered, That the Clerk deliver said resolution to the Governor.

Mr. Alvord introduced a bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered engrossed and to a third reading.

Mr. Kshinka introduced a bill entitled "An act to abandon the further use by the people of the State of New York of the buildings, land and premises in the county of Albany used as a public arsenal, and to convey said buildings, lands and premises to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. Whitmore introduced a bill entitled "An act to legalize and confirm the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gallagher introduced a bill entitled "An act to authorize the confinement of convicts in the county penitentiaries of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

Mr. Dessar introduced a bill entitled "An act to amend chapter 574 of the Laws of 1871, as amended by chapter 738 of the Laws of 1872, in relation to the department of docks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Mr. Waehner introduced a bill entitled "An act to repeal chapter 502 of the Laws of 1853, entitled 'An act to authorize stockholders of railroad and plank-road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Stauf introduced a bill entitled "An act to repeal chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Sherman introduced a bill entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act for the preservation of fish in the waters of the Beaver creek and its tributaries, in the town of Trenton, county of Oneida," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act to authorize the common council of the city of Utica to cause the pavement in certain streets to be repaired at the expense of the city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to authorize the city of Utica to provide a building for fire department purposes and borrow and disburse money to pay for the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Prince introduced a bill entitled "An act in relation to the Flushing high school in school district No. 5 of the town of Flushing, Queens county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Stephens introduced a bill entitled "An act to amend chapter 569

of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seamen's Retreat on Staten Island,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to amend chapter 497 of the Laws of 1870, entitled 'An act to establish a police force in the county of Richmond,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act establishing and declaring the use of the dock and pier at the ferry landing on the easterly side of Front street, between canal and Water streets, in the village of Edgewater, Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to incorporate Friendship Hook and Ladder Company No. 4, at the village of New Brighton, in the county of Richmond," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Benedict introduced a bill entitled "An act to amend section 399 of the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Shattuck introduced a bill entitled "An act to increase the powers and duties of the Canal Board of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Mr. Husted introduced a bill entitled "An act providing for the publication of the assessments on real and personal estate in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Gedney introduced a bill entitled "An act to repeal an act entitled 'An act to regulate the hours of labor of mechanics, workingmen and laborers in the employ of the State or otherwise engaged on public works,' passed April 26, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Friend, Int. No. 759, entitled "An act in relation to the purchase by the United States of certain lands at West Point," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Clark, Int. No. 762, entitled "An act to provide for raising a tax upon certain property of railroad companies in this State in whose aid any town, city or village has created a bonded debt, any part of which remains unpaid, for the purpose of redeeming or paying off such debt," reported adversely thereto, which report was agreed to.

Mr. Hammond, from the committee on ways and means, to which was referred the bill entitled "An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended

in furnishing substitutes, or in commutation, by the men who were drafted into the military service of the United States, and held to service in the several drafts under the enrollment act of the United States, entitled 'An act for enrolling and calling out the national forces, and for other purposes,' approved March 3, 1863, and the acts amendatory thereto, while the option of commutation by the payment of \$300 remained, and for the relief of the men who entered the service under said drafts," reported adversely thereto, which report was agreed to.

Mr. Hammond, from the committee on ways and means, to which was referred the Senate bill, Int. No. 70, entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children, on the Cattaraugus Reservation, and to provide for its management and maintenance," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 539, entitled "An act authorizing the supervisors of the several counties in the third judicial district to appropriate and pay compensation to the justices of the supreme court," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act authorizing the supervisors of the several counties in the third judicial department to appropriate and pay compensation to the justices of the supreme court," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cooke, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act making appropriations for certain expenses of government."

"An act to enable the trustees of the village of Clyde, in the county of Wayne, to raise by tax the sum of six thousand dollars and interest thereon, wherewith to pay the indebtedness existing against said village."

"An act relating to stock of the Delhi and Middletown Railroad Company, owned by the town of Andes, Delaware county."

"An act to extend the time for the collection of the assessments for the improvement of Fulton avenue, in the town of New Lots, Kings county."

"An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased."

Mr. Sherwood presented a petition of 380 citizens of Binghamton, in favor of a law limiting the sale of intoxicating liquors to mechanical, medicinal and sacramental purposes; which was read and referred to the committee of the whole.

Also, a petition of citizens of Brooklyn, for a prohibitory liquor law; which was read and referred to the committee of the whole.

Also, a memorial of the New York State Temperance Society, in favor of a prohibitory liquor law; which was read and referred to the committee of the whole.

Mr. Green presented a petition of 177 citizens and voters of Genesee county, asking that the assessment laws of this State be so changed that mortgages on real estate be assessed to the owner of said mortgage, and the amount be deducted from the assessment of the holder of the real estate upon which said mortgage is a lien; which was read and referred to the committee on ways and means.

Mr. Seward presented a petition of citizens of New York for a reduction of canal tolls; which was read and referred to the committee on canals.

Mr. Hanschel presented a petition of citizens of the city of New York against the passage of Senate bill No. 98, permitting insurance companies to loan their money out of the State of New York; which was read and referred to the committee on insurance.

Mr. Sherwood presented a petition of citizens of Binghamton to repair certain canal bridges in the city of Binghamton; which was read and referred to the committee on canals.

Mr. Tremain presented a petition of the Industrial Council of Syracuse requiring railroad engineers to be licensed; which was read and referred to the committee on railroads.

Mr. Decker presented a petition for setting off a portion of the town of Davenport to the town of Meredith; which was read and referred to the committee on civil divisions.

Also, presented four remonstrances against setting off a portion of the town of Davenport to the town of Meredith; which were read and referred to the committee on civil divisions.

Mr. Sherman presented a remonstrance of 70 citizens and business firms in the city of Utica, against the repeal of the police and fire commission of said city; which was read and referred to the committee on affairs of cities.

Mr. Gedney presented a petition of citizens of New York praying for the repeal of chapter 385 of the Laws of 1870; which was read and referred to the committee on internal affairs.

Mr. Shattuck offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 2,000 extra copies of the fifty-sixth annual report of the New York Institution for the Deaf and Dumb be printed for the use of the officers of that institution.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Ransom offered for the consideration of the House a resolution, in the words following:

Resolved, That the Clerk furnish each member, officer and reporter fifteen diagrams of the Assembly chamber.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Kshinka offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed in the usual form, for the use of the Homœopathic Medical Society of the State of New York, 1,500 copies of the transactions of said society for the year 1875.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Wurts offered for the consideration of the House a resolution, in the words following:

Resolved, That the Senate bill No. 87, G. O. 255, entitled "An act to regulate the sale of baled hay and straw in the State of New York," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Hess offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That fifteen hundred extra copies of the report of the Institution for the Improvement of Deaf-mutes be printed for the use of the institution.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Lincoln offered for the consideration of the House a resolution, in the words following:

Whereas, From information from competent and reliable persons who will testify, if called upon, that the widows and orphans, as well as other beneficiaries, are grossly wronged and defrauded by the action of the World Life, the Government Security Life, North American, the Guardian Mutual, and the Universal Life insurance companies of New York city, in not paying to them the honest measure of surrender value of policies, and the public deceived in respect of the true standing of such companies by a systematic course of falsifying their accounts, and that some of them are now reinsuring their policy holders in other companies of smaller capital and reliability, with which it is said their officers and directors are connected, thereby jeopardizing the interests of thousands of citizens of this State, and threatening to deprive widows and orphans of their only support in the hour of need; and,

Whereas, In the creation of false and excessive entries, increasing the items of premium receipts, and to such extent increasing the items of dividends paid policy holders, and for surrender policies, thus decreasing the actual expenses, and fictitiously reducing the apparent ratio of expenses paid to income received, and thereby enabling said companies to cover up and cancel enormous corruption in the shape of princely bonuses, excessive salaries, and gratuities paid to officers and other parties; and,

Whereas, Such charges so publicly preferred call for a prompt and thorough investigation; therefore,

Resolved, That the committee on insurance be instructed to investigate the matter stated in the foregoing preamble, and also the affairs of said companies and the investments made by them, in order to ascertain the true condition thereof; and also whether any collusion exists between the officers of such companies and those of the companies in which they are reinsuring their policy holders; with power to send for persons and papers.

Said resolution giving rise to debate,

Ordered, That the same be laid on the table.

Mr. Hepburn offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 1,000 extra copies of the Governor's message be printed in German for the use of the Legislature.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Davis offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 279, entitled "An act in relation to the canals," be made a special order for Thursday evening next.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend an act entitled 'An act to incorporate the city of Rome,' passed February 23, 1870."

Senate, "An act to appoint a reporter of the decisions of the supreme court."

"An act to provide for the election of police justices in villages."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hogan, from said committee, reported that they had made some progress on said first mentioned bill, and amended the title so as to read "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome, and also to amend chapter 385 of the Laws of 1858, entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,'" and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Lincoln, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

Mr. Hogan, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Hogan, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

On motion of Mr. Rich,

Resolved, That there be printed 500 extra copies of the excise bills as reported by the majority of the committee on internal affairs.

Mr. Alvord moved that the bill entitled "An act in relation to the canals," be made a special order for Thursday evening next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hess, from said committee, reported that pending the division of a question in the committee of the whole it appeared that no quorum was present.

Mr. Speaker ordered a call of the roll, when the following members answered to their names :

Alvord	Fish	Lawrence	Shattuck
Badger	Fream	Lewis	Sherman
Barkley	Friend	Lillybridge	Sherwood
Barrow	Gallagher	Lincoln	Shiel
Benedict	Gedney	McAfee	Slingerland
Bordwell	Green	Merwin	Smith
Braman	Griffin	J. W. Miller	Speaker
Calkins	Hammond	W. Miller	Stauf
T. C. Campbell	Hauschel	Page	Stephens
Christopher	Hepburn	Peck	Struble
Clark	Hess	Prince	W. F. Taylor
Cole	Hogan	Ransom	Vosburgh
Cooke	Holmes	Rich	Waehner
Decker	Hussey	Roscoe	Wenzel

Dessar	Husted	Russell	West
Farrar	Krack	Schuyler	Whitmore
Faulkner	Kshinka	Seward	Wurts
Fay			

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The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same, over the Kill von Kull at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points, over Authur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' passed May 26, 1873."

"An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables."

"An act creating the office of Richmond county fire marshal and prescribing his powers and duties."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Hess, from said committee, reported in favor of the passage of said first and second mentioned bills, the first mentioned with amendments, and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 619 of the Laws of 1873," and by striking out all after the word "named," also by changing "u" to "r," in the word "Authur;" which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Hess, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Stephens, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the protection of fish in Hoffman pond, in Claverack, Columbia county.

"An act to amend chapter 433 of the Laws of 1872, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, passed April 26, 1871; also to repeal section 30 of said act,' passed April 29, 1872."

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize the removal and correct the harbor commissioners' lines.'"

And after some time spent therein, Mr. Speaker resumed the chair,

and Mr. Gedney, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, and the title amended by adding thereto the words "and also in Round Lake, Saratoga county," which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Gedney, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by inserting before the word "to," in line 1, the word "further," and by striking out "433 of the Laws of 1872, entitled," and inserting in lieu thereof "section 28 of," and also by striking out all of said title after the word "fish;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Gedney, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

By unanimous consent, Mr. Smith introduced a bill entitled "An act to transfer the care and management of the county jail of the county of New York to the commissioners of charities and corrections of the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

On motion of Mr. West, at 9 o'clock and 55 minutes, the House adjourned.

TUESDAY, MARCH 30, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Bedell.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act to amend an act entitled An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer," passed May 5, 1870," with a message informing that they had passed the same, with the following amendment:

Section 4, line 3, engrossed bill, strike out the word "five" and insert the word "seven."

The amendment having been read,

Mr. W. F. Taylor moved that the House non-concur in said amendment, and that a committee of conference be appointed thereon and a like committee requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. W. F. Taylor, McGroarty, Cleary, Reilly and Lawson were appointed as such committee.

Ordered, That the Clerk return said bill to the Senate, with a message informing of non-concurrence in their amendment, and request a committee of conference thereon.

Leave of absence was granted to Mr. Wellington indefinitely.

The privileges of the floor were extended to Messrs. Nice, Flach and Sherman.

A message from the Governor was received and read, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *March 29, 1875.* }

To the Assembly :

In accordance with a resolution of the Assembly and Senate, I have the honor to return herewith, for amendment, Assembly bill, not printed, entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city."

SAMUEL J. TILDEN.

Mr. Gallagher moved a reconsideration of the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis;	Kirk	Schieffelin
Barkley	Decker	Krack	Schuyler
Barrow	Edson	Kshinka	Scudder
Benedict	Ely	Law	Seward
Bennett	Farrar	Lawrence	Sherman
Berry	Fay	Lawson	Sherwood
Bishop	Fish	Lewis	Silverman
Bordwell	Fream	Lillybridge	Speaker
Bowen	Friend	Mackin	Stacy
Braman	Gallagher	McAfee	Stauf
Broas	Green	McGowan	Stephens
Burtis	Griffin	McGroarty	G. Taylor
Calkins	Hanrahan	Merwin	W. F. Taylor
T. C. Campbell	Hauschel	O'Keefe	Vosburgh
T. J. Campbell	Hess	Page	Waehner
Christopher	Hinckley	Peck	Wenzel
Clark	Hogan	Petty	West
Cleary	Holmes	Prince	Whitmore
Coffey	Houghton	Ransom	Willis
Comstock	Hussey	Rich	Witbeck
Costigan	Husted	Roscoe	Worth
Daggett	W. Johnson	Sanford	Wurts
Daly	W. A. Johnson		

By unanimous consent, on motion of Mr. Gallagher, said bill was amended as follows :

Section 1, engrossed bill, line 7, after the word "direct" insert the words "within one year from the issuing thereof."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	W. A. Johnson	Schuyler
Badger	Decker	Kirk	Scudder
Barkley	Edson	Krack	Seward
Benedict	Ely	Kshinka	Shattuck
Bennett	Faulkner	Lawrence	Sherman
Berry	Fay	Lawson	Sherwood
Bishop	Fish	Lewis	Shiel
Bordwell	Fream	Lillybridge	Silverman
Bowen	Friend	Lincoln	Slingerland
Bradley	Gallagher	Mackin	Smith
Braman	Gedney	McGowan	Speaker
Broas	Green	McGroarty	Stacy
Burtis	Griffin	Merwin	Stephens
Calkins	Hanrahan	Oakley	Talmage
T. C. Campbell	Hauschel	O'Keefe	G. Taylor
T. J. Campbell	Hess	Peck	W. F. Taylor
Christopher	Hinckley	Petty	Vosburgh
Clark	Hogan	Prince	Wenzel
Coffey	Holmes	Ransom	West
Comstock	Houghton	Reilly	Whitmore
Costigan	Hussey	Rich	Willis
Daggett	Husted	Sanford	Wurts
Daly	W. Johnson	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

This being the day assigned by the rules for the consideration of general orders,

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution, in the words following:

Resolved (if the Assembly concur), That the Governor is hereby authorized, by and with the advice and consent of the Senate, to appoint a commission of four persons, whose duty it shall be to investigate the affairs of the canals of the State, and especially the matters embraced in the special message of the Governor, communicated to the Legislature on the 19th day of March, 1875. Said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any papers in the custody or possession of any witness, touching the subject of such investigation, and to examine such witnesses and such public records of the State as they shall require for the purposes of such investigation. Said commission in their investigation shall at least cover the years 1868 to 1875, inclusive, but shall not be restricted to that period. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and to the Legislature at the opening of its next session. They shall also furnish a copy of such testimony to the Attorney-General.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Lincoln moved to reconsider the vote agreeing to the adverse report of the committee on ways and means upon the bill entitled "An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended in furnishing substitutes, or in commutation, by the men who were drafted into the military service of the United States and held to service in the several drafts under the enrollment act of the United States, entitled 'An act for enrolling and calling out the national forces, and for other purposes,' approved March 3, 1863, and the acts amendatory thereto, while the option of commutation by the payment of \$300 remained, and for the relief of the men who entered the service under said drafts," and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Alvord, and by unanimous consent, the bill entitled "An act to extend the time for the collection of taxes in the city of Elmira," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kshinka	Schenck
Badger	Faulkner	Law	Schieffelin
Barkley	Fay	Lawrence	Seward
Barrow	Fish	Lawson	Shattuck
Benedict	Fream	Lewis	Sherman
Berry	Friend	Lincoln	Sherwood
Bishop	Gallagher	Mackin	Shiel
Bradley	Gedney	McAfee	Silverman
Braman	Green	McGowan	Slingerland
Brown	Griffin	McGroarty	Speaker
Calkins	Hauschel	Merwin	Stacy
T. C. Campbell	Hess	W. Miller	Stephens
T. J. Campbell	Hinckley	Oakley	Talmage
Christopher	Hogan	O'Keefe	G. Taylor
Clark	Holmes	Peck	W. F. Taylor
Cole	Houghton	Petty	Tremain
Comstock	Husted	Prince	Vosburgh
Cooke	W. Johnson	Ransom	Wenzel
Daggett	W. A. Johnson	Reilly	Whitmore
Daly	Kennaday	Roscoe	Willis
Decker	Kirk	Russell	Witbeck
Dessar	Krack	Sanford	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. T. C. Campbell introduced a bill entitled "An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland,

and in the city of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. T. C. Campbell, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	Kennaday	Schuyler
Badger	Costigan	Kirk	Scudder
Barkley	Daggett	Kshinka	Seward
Beach	Daly	Law	Shattuck
Benedict	Decker	Lawrence	Sherman
Bennett	Edson	Lawson	Sherwood
Berry	Ely	Lewis	Shiel
Bishop	Faulkner	Mackin	Slingerland
Bordwell	Fish	McAfee	Smith
Bowen	Fream	Merwin	Speaker
Bradley	Friend	Oakley	Stacy
Braman	Gallagher	O'Keefe	Stephens
Brown	Green	Petty	G. Taylor
Burtis	Griffin	Prince	W. F. Taylor
Calkins	Hepburn	Ransom	Vosburgh
T. C. Campbell	Hess	Reilly	Waehner
T. J. Campbell	Hinckley	Rich	Wenzel
Christopher	Holmes	Roscoe	Whitmore
Clark	Hussey	Russell	Willis
Coffey	Husted	Sanford	Witbeck
Cole	W. Johnson	Schenck	Worth
Comstock	W. A. Johnson	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, on motion of Mr. Petty, the committee of the whole was discharged from the further consideration of the bill entitled "An act providing for the election of bay constables in the towns of Brookhaven, Islip, Babylon and Huntington, in the county of Suffolk, and to define their duties, also to repeal section 8 of chapter 234 of the Laws of 1870, entitled 'An act for the preservation of shell fish in the waters of the South bay, Suffolk county,'" and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kirk	Schieffelin
Badger	Edson	Krack	Schuyler
Barkley	Ely	Kshinka	Sudder
Beach	Farrar	Law	Seward
Benedict	Fay	Lawson	Shattuck
Bennett	Fish	Lewis	Sherwood
Berry	Freem	Lillybridge	Shiel
Bishop	Friend	Lincoln	Smith
Bordwell	Gallagher	Mackin	Speaker
Bradley	Griffin	McAfee	Stacy
Braman	Hauschel	McGowan	Stephens
Burtis	Hepburn	McGroarty	Talmage
Calkins	Hess	Merwin	G. Taylor
T. J. Campbell	Hinckley	Oakley	Vosburgh
Christopher	Hogan	O'Keefe	Waehner
Clark	Holmes	Page	Wenzel
Cleary	Houghton	Peck	West
Cole	Hussey	Petty	Whitmore
Comstock	Husted	Ransom	Willis
Cooke	W. Johnson	Rich	Witbeck
Daggett	W. A. Johnson	Roscoe	Worth
Davis	Kennaday	Sanford	Wurts
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Burtis introduced a bill entitled "An act to authorize the city of Brooklyn to issue bonds for the purchase of school sites and the building of primary school houses thereon in said city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent, Mr. Husted introduced a bill entitled "An act with reference to the survey and improvement of Harlem river and Spuyten Duyvil creek," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent, Mr. Shiel introduced a bill entitled "An act to extend the time for the organization of the Central Trust Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Talmage introduced a bill entitled "An act to amend an act entitled 'An act in relation to assessing the city sewers in the city of Brooklyn,' passed June 13, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act to regulate coroners' inquests in the various counties of the State of New York, and to provide for the payment of services rendered by scientific persons as experts."

"An act to provide for the liquidation and payment of claims against the State of New York."

"An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Barkley, from said committee, reported progress on said first mentioned bill, and asked and obtained leave to sit again.

Mr. Barkley, from said committee, also reported in favor of the passage of said second and third mentioned bills, with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Ransom offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. , G. O. 234, entitled "An act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871," be referred to the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent, Mr. Bradley introduced a bill entitled "An act to amend an act passed December 14, 1847, entitled 'An act to amend an act entitled An act to reduce the number of town officers and town and county expenses, and to prevent abuses in auditing town and county accounts,' passed May 10, 1845," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Vosburgh introduced a bill entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Schieffelin presented a petition of residents of West Mount Vernon and East Mount Vernon, in the town of East Chester, praying that no law shall be passed to consolidate said villages, and protesting that any change be made; which was read and referred to the committee on affairs of villages.

By unanimous consent, Mr. Prince introduced a bill entitled "An act supplementary to an act to enforce the responsibility of stockholders in certain banking associations, passed April 5, 1849," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Also, by unanimous consent, a bill entitled "An act to incorporate the New York Cheap Transportation Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Alvord introduced a bill entitled "An act to revise the charter of the city of Syracuse," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Gallagher introduced a bill entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, amended April 25, 1871, amended Jan-

uary 12, 1872, amended May 22, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Husted introduced a bill entitled "An act to regulate and fix the salaries of the commissioners of docks of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a memorial on the same subject; which was read and referred to the same committee.

Mr. McGowan moved to discharge the committee of the whole from the further consideration of the bill entitled "An act to regulate coroners' inquests in the various counties of the State of New York, and to provide for the payment of services rendered by scientific persons as experts," and that the same be referred to the committee on general laws, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act further amending an act entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,' passed April 21, 1871."

"An act to further extend the provisions of the act entitled 'An act for the better security of mechanics and others erecting buildings in the several counties of this State,' and the several amendments thereto."

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal and correct the harbor commissioners' lines.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Talmage, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 680 of the Laws of 1871," also by striking out all after the word "Buffalo;" which report was agreed to, and said bill ordered to a third reading.

Mr. Talmage, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended so as to read, "An act further to amend chapter 305 of the Laws of 1844, entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the several cities in this State (except the city of New York) and in the village of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Talmage, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Sherman, from the committee of conference, submitted the following report:

The committee of conference, to which was referred the Senate bill entitled "An act providing for the appointment of additional notaries

public," report that the committee having met and duly considered the same, have agreed to recommend as follows: In place of the amendment made in the Assembly, at the end of section 1, the following: "And hereafter, at the time of subscribing or filing the oath of office, the county clerk of each county and the clerk of the city and county of New York shall collect from the person appointed the sum of fifty cents, and the said clerks respectively shall annually account therefor to the State Treasurer." Also, that the Senate concur in the other amendments made in the Assembly.

W. B. WOODIN,
F. W. TOBEY,
JACOB GROSS,
Senate Committee.

R. C. WAEHNER,
JAS. E. COOKE,
KNOX McAFEE,
R. U. SHERMAN,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawson	Schenck
Benedict	Faulkner	Lewis	Schieffelin
Berry	Fay	Lillybridge	Scudder
Bishop	Friend	Lincoln	Shattuck
Braman	Gallagher	Mackin	Sherman
Brown	Gedney	McAfee	Sherwood
Burtis	Green	McGowan	Shiel
Calkins	Griffin	McGroarty	Silverman
T. C. Campbell	Hammond	Merwin	Smith
T. J. Campbell	Hanrahan	J. W. Miller	Speaker
Clark	Hepburn	Oakley	Stauf
Cleary	Hess	O'Keefe	Stephens
Coffey	Hinckley	Page	Talmage
Cole	Hogan	Peck	W. F. Taylor
Comstock	Holmes	Petty	Vosburgh
Cooke	Houghton	Ransom	Wenzel
Costigan	Hussey	Reilly	Whitmore
Daly	W. A. Johnson	Rich	Willis
Davis	Kennaday	Roscoe	Witbeck
Decker	Kirk	Russell	Worth
Dessar	Krack	Sanford	Wurts
Edson	Lawrence		

For the negative,

Stacy

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

By unanimous consent, on motion of Mr. Ransom, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to incorporate the Buffalo Exchange."

By unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Farrar	Lewis	Shiel
Badger	Faulkner	Lincoln	Silverman
Barkley	Fay	Mackin	Slingerland
Benedict	Friend	McGroarty	Smith
Berry	Gallagher	Merwin	Speaker
Bishop	Gedney	J. W. Miller	Stacy
Bordwell	Green	O'Keefe	Stauf
Bowen	Griffin	Page	Stephens
Braman	Hanrahan	Peck	Struble
Brown	Hepburn	Prince	Talmage
Burtis	Hinckley	Ransom	W. F. Taylor
Calkins	Holmes	Reilly	Vedder
Christopher	Houghton	Rich	Vosburgh
Coffey	Husted	Russell	Wenzel
Cole	W. A. Johnson	Sanford	Whitmore
Comstock	Kirk	Schenck	Willis
Cooke	Krack	Scudder	Witbeck
Decker	Lawrence	Shattuck	Worth
Dessar	Lawson	Sherwood	Wurts
Edson			

Those who voted in the negative, were

T. C. Campbell	Clark	Daly	Hess
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Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act in relation to the treatment of animals."

"An act in relation to the general terms of the supreme court."

"An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Scudder, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Scudder, from said committee, also reported in favor of the passage of said second and third mentioned bills; which report was agreed to, and said bill ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act for continuing and regulating a ferry across the Hudson river in the town of Phillipstown, in the county of Putnam."

"An act to release the right, title and interest of the people of the

State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs-at-law of Edmund Cosby, deceased."

"An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lawson, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered to a third reading.

Mr. Lawson, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Alvord, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

Mr. Lawson, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Alvord, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

On motion of Mr. Waehner, at 2 o'clock and 15 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

Mr. Speaker presented a communication from the department of docks in New York city; which was laid on the table and ordered printed.

(See *Doc. No. 113.*)

Mr. Alvord presented the report of the committee on ways and means of the Assembly of 1874 on assessments and taxation; which was laid on the table and ordered printed.

(See *Doc No. 112.*)

By unanimous consent, Mr. Alvord introduced a bill entitled "An act regulating the percentage of taxation in all the cities, villages and towns of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

On motion of Mr. Alvord, said bill was ordered printed.

Also, a bill entitled "An act to amend chapter 13 of part 1 of the Revised Statutes in relation to assessments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

On motion of Mr. Alvord, said bill was ordered printed.

Mr. Alvord moved that 2,000 extra copies of the report of the committee on ways and means of the Assembly of 1874, on assessment and taxation, be printed for the use of the Legislature.

Ordered, That the same be referred to the committee on public printing.

The privileges of the floor were extended to Hon. Messrs. Marcy, Cole and J. Lawrence Smith.

Leave of absence was granted to Mr. Hogan indefinitely.

By unanimous consent, Mr. Hinckley presented a petition in favor of the passage of the act to repeal the act relative to the inspection of steam boilers; which was read and referred to the committee on trade and manufactures.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Badger, Int. No. 565, entitled "An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein for the construction of a road from Blood's hotel to Tupper's lake, in Franklin county,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Braman presented a remonstrance of taxpayers of the town of Watervliet against being included in the proposed city of Watervliet; which was read and referred to the committee on affairs of cities.

By unanimous consent, Mr. Schenck introduced a bill entitled "An act to amend an act entitled 'An act to amend and consolidate the laws in relation to Amsterdam village in Montgomery county,' passed April 16, 1854," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Berry introduced a bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed May 20, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Kennaday introduced a bill entitled "An act to extend the time within which the Brooklyn Guaranty and Indemnity Company, a corporation created under chapter 481 of the Laws of 1874, may commence the transaction of its business," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. Slingerland introduced a bill entitled "An act to prevent fishing within three years in the waters of Lawson and McCulloch's lake, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Vosburgh introduced a bill entitled "An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 3, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Merwin introduced a bill entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March

25, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Petty presented a remonstrance of the citizens of Suffolk county against the passage of Assembly bill No. 54, entitled "An act for the protection of fish in the State of New York;" which was read and referred to the committee of the whole.

Mr. Speaker announced the special order, being the consideration of the bill entitled as follows:

"An act to conform the charters of all savings banks, or institutions of savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs."

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. T. C. Campbell moved to make said bill a special order for Thursday morning, immediately after the reading of the journal.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

On motion of Mr. Alvord, at 9 o'clock and 30 minutes, the House adjourned.

WEDNESDAY, MARCH 31, 1875.

The House met pursuant to adjournment.

Prayer by Rev. C. P. McCarthy.

The journal of yesterday was read and approved.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to authorize a tax to be levied upon the town of Potsdam to build a town house."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows:

"An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

The Senate returned the resolution providing for the printing of the State Engineer's report of 1874, on railroads, with a message informing of concurrence in the passage of the same.

Also, the resolution providing for printing 750 copies of the State Engineer and Surveyor's report on canals for the use of the State Engineer's department, with a message informing of concurrence in the passage of the same.

Also, the resolution directing the printing of 5,000 copies of the message of his Excellency the Governor on canals, with a message informing of concurrence of the passage of the same.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That 500 copies of the annual report of the Canal Appraisers be printed, with paper covers, for the use of the Board of Appraisers.

Ordered, That said resolution be referred to the committee on public printing.

Also, the following:

Resolved (if the Assembly concur), That there be printed of the Eighth Annual Report of the State Board of Charities 1,500 copies for the use of the Board; 1,000 copies in paper covers, and 500 copies bound in muslin.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Cooke, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to extend the time for the collection of taxes in the city of Elmira."

"An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and also to amend chapter 385 of the Laws of 1855, entitled 'An act to incorporate the fire department of the village of Rome, Oneida county.'"

"An act to provide for the election of police justices in villages."

"An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same over the Kill von Kull, at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' passed May 26, 1873."

"An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables."

"An act creating the office of Richmond county fire marshal, and prescribing his powers and duties."

"An act for the protection of fish in Hoffman pond, in Claverack, Columbia county; also, in Round lake, Saratoga county."

"An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873."

"An act providing for the election of bay constables in the towns of Brookhaven, Islip, Babylon and Huntington, in the county of Suffolk, and to define their duties; also, to repeal section 8 of chapter 234 of the Laws of 1870, entitled 'An act for the preservation of shell-fish in the waters of the South bay, Suffolk county.'"

"An act to provide for the liquidation and payment of claims against the State of New York."

"An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester."

"An act further to amend chapter 305 of the Laws of 1844, entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor in the several cities in this State (except the city of New York), and in the villages of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn.'"

"An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal, and correct the harbor commissioners' lines.'"

"An act in relation to the general terms of the supreme court."

"An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties."

"An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk."

"An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby, and Heintzelmann B. Cosby, heirs-at-law of Edmund Cosby, deceased."

Mr. G. Taylor introduced a bill entitled "An act to authorize Samuel Hamilton, as trustee, to mortgage certain real estate held by him in trust," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,' passed April 27, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' passed April 8, 1861, and the various acts amendatory thereof or relating to the city of Rochester," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. G. Taylor, said bill was ordered printed.

Mr. Mackin introduced a bill entitled "An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie Railway by the New York and New England Railway Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Daly moved to lay the present order of business on the table, for the purpose of taking up the Senate resolution relative to canals.

Mr. Speaker put the question whether the House would agree to said

motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Speaker announced the question to be upon the adoption of the following resolution :

Resolved, (if the Assembly concur), That the Governor is hereby authorized, by and with the advice and consent of the Senate, to appoint a commission of four persons, whose duty it shall be to investigate the affairs of the canals of the State, and especially the matters embraced in the special message of the Governor, communicated to the Legislature on the 19th day of March, 1875. Said commission shall have power to subpoena and compel the attendance of witnesses, to require the production before them of any papers in the custody or possession of any witness, touching the subject of such investigation, and to examine such witnesses and such public records of the State as they shall require for the purposes of such investigation. Said commission in their investigation shall at least cover the years 1868 to 1875, inclusive, but shall not be restricted to that period. Any member of said commission shall have power to administer oaths to witnesses summoned before them. They shall have authority to employ a clerk and stenographer, and shall report the testimony they shall take, together with such recommendations in respect to the same as they shall deem warranted by the facts, to the Governor and to the Legislature at the opening of its next session. They shall also furnish a copy of such testimony to the Attorney-General.

Mr. Daly moved that the House concur in said resolution, and on that motion moved the previous question.

Mr. Speaker put the question, " Shall the main question be now put ? " and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 97 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Keenan	Sanford
Barkley	Davis	Kirk	Schenck
Barrow	Decker	Krack	Schieffelin
Benedict	Dessar	Kshinka	Schuyler
Bennett	Edson	Law	Scudder
Berry	Ely	Lawrence	Seward
Bishop	Farrar	Lewis	Shattuck
Bordwell	Faulkner	Lincoln	Sherman
Bowen	Fay	Mackin	Sherwood
Braman	Fream	McGowan	Shiel
Broas	Friend	McGroarty	Smith
Brogan	Gallagher	Merwin	Speaker
Brown	Gedney	W. Miller	Stacy
Burtis	Green	Oakley	Stephens
Calkins	Griffin	Page	Struble
T. C. Campbell	Hammond	Peck	G. Taylor
T. J. Campbell	Hanrahan	Petty	W. F. Taylor
Christopher	Hauschel	Pierson	Tremain

Clark	Hepburn	Pope	Vosburgh
Cleary	Hinckley	Prince	West
Cole	Holmes	Reilly	Whitmore
Comstock	Houghton	Rich	Willis
Cooke	Hussey	Roscoe	Wurts
Costigan	W. Johnson	Russell	Yost
Daggett	W. A. Johnson		

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

On motion of Mr. Stacy, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act in relation to mortgages made by manufacturing companies," and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 68 }
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Cole	Holmes	Schuyler
Barkley	Comstock	Houghton	Scudder
Barrow	Cooke	W. A. Johnson	Shattuck
Benedict	Costigan	Kshinka	Sherman
Bennett	Decker	Lawrence	Sherwood
Bishop	Edson	Lewis	Slingerland
Bordwell	Ely	Mackin	Speaker
Bowen	Farrar	McAfee	Stacy
Braman	Fay	McGowan	G. Taylor
Broas	Fream	Merwin	W. F. Taylor
Brogan	Friend	W. Miller	Tremain
Burtis	Gallagher	Peck	Waehner
Calkins	Gedney	Pierson	Wenzel
T. C. Campbell	Green	Reilly	Whitmore
T. J. Campbell	Hanrahan	Roscoe	Willis
Christopher	Hauschel	Sanford	Wurts
Coffey	Hinckley	Schenck	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 315 of the Laws of 1873, entitled 'An act to amend an act entitled An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Jamaica, Queens county,' passed March 26, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	Kshinka	Seward
Badger	Costigan	Lawrence	Shattuck
Barkley	Daly	Lawson	Sherman
Barrow	Decker	Lewis	Sherwood
Benedict	Ely	Lincoln	Shiel
Bennett	Farrar	Mackin	Silverman
Berry	Faulkner	McGroarty	Slingerland
Bordwell	Friend	Merwin	Speaker
Braman	Gallagher	J. W. Miller	Stacy
Broas	Gedney	Oakley	Struble
Brogan	Green	Petty	G. Taylor
Brown	Hammond	Pierson	W. F. Taylor
Burtis	Hanrahan	Prince	Tremain
Calkins	Hauschel	Ransom	Waehner
T. C. Campbell	Hess	Reilly	Wenzel
T. J. Campbell	Hinckley	Rich	West
Christopher	Holmes	Russell	Whitmore
Clark	Husted	Schenck	Willis
Cleary	W. A. Johnson	Schieffelin	Worth
Coffey	Keenan	Schuyler	Wurts
Cole	Kirk	Scudder	Yost
Comstock	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the better protection of human life at public watering or bathing places," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	W. A. Johnson	Sanford
Badger	Daggett	Keenan	Schenck
Barkley	Decker	Kirk	Schuyler
Barrow	Edson	Krack	Seward
Benedict	Ely	Law	Shattuck
Bennett	Farrar	Lawson	Sherman
Berry	Fish	Lewis	Sherwood
Bishop	Friend	Lincoln	Shiel
Bordwell	Gallagher	Mackin	Silverman
Braman	Gedney	McAfee	Slingerland
Broas	Green	McGowan	Stacy
Brogan	Griffin	McGroarty	Struble
Brown	Hammond	J. W. Miller	G. Taylor
Burtis	Hanrahan	Oakley	Waehner

Calkins	Hauschel	Peck	Wenzel
T. C. Campbell	Hepburn	Petty	West
T. J. Campbell	Hess	Pierson	Whitmore
Christopher	Hinckley	Ransom	Willis
Clark	Holmes	Reilly	Wurts
Coffey	Hussey	Rich	Yost
Cole	Husted	Roscoe	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 80 of the Laws of 1870, entitled "An act to provide for the enrollment of the militia, for the organization of the National Guard of the State of New York. and for the public defense, and entitled the 'Military Code,' " being announced for a third reading,

Mr. Waehner moved to recommit said bill to the committee on militia, with instructions to amend by inserting after the word "New York," in section 34, line 53, engrossed bill, the words "in the occupation and possession thereof, and not already leased to any persons as required, for armory purposes," and that said bill retain its place on the calendar of third reading of bills.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Ransom
Barkley	Dessar	Keenan	Rich
Benedict	Edson	Kennaday	Roscoe
Bennett	Ely	Krack	Russell
Berry	Farrar	Kshinka	Schieffelin
Bishop	Faulkner	Law	Schuyler
Braman	Fay	Lawrence	Scudder
Broas	Fream	Lewis	Seward
Brogan	Friend	Lincoln	Sherman
Brown	Gallagher	Mackin	Sherwood
Burtis	Gedney	McAfee	Shiel
Calkins	Green	McGowan	Slingerland
T. C. Campbell	Griffin	McGroarty	Speaker
T. J. Campbell	Hammond	Merwin	Stacy
Christopher	Hanrahan	J. W. Miller	Stauf
Clark	Hauschel	W. Miller	Vosburgh
Coffey	Hess	Muller	Wenzel
Cole	Hinckley	O'Keefe	West
Comstock	Holmes	Page	Whitmore

Cooke
Costigan
Daggett

Houghton
Hussey
Husted

Peck
Petty
Pierson

Willis
Wurts
Yost

For the negative,
Wahner

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Shiel,

Resolved, That Assembly bill No. 274, G. O. 271, entitled "An act to amend an act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 23, 1873, passed May 6, 1874," also the Assembly bill No. 304, G. O. 306, entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," be and they are hereby referred back to the committee on affairs of cities (each retaining its place on general orders), with power to report at any time.

The bill entitled "An act to authorize the town of Kinderhook to take a legacy under the will of Edward G. Miner, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 84 }
} NOES 00 }

Those who voted in the affirmative, were

Alvord
Badger
Benedict
Berry
Bishop
Bordwell
Broas
Brogan
Brown
Burtis
Calkins
T. C. Campbell
T. J. Campbell
Clark
Cleary
Cole
Comstock
Cooke
Costigan
Daggett
Daly

Decker
Edson
Ely
Farrar
Faulkner
Fay
Fish
Fream
Friend
Gallagher
Gedney
Green
Griffin
Hammond
Hauschel
Hepburn
Hinckley
Holmes
Houghton
Husted
W. A. Johnson

Keenan
Kennaday
Krack
Kshinka
Law
Lawrence
Lewis
Lincoln
McAfee
McGowan
McGroarty
Merwin
J. W. Miller
Muller
O'Keefe
Peck
Petty
Pierson
Ransom
Rich
Roscoe

Russell
Schenck
Schieffelin
Schuyler
Scudder
Seward
Shattuck
Sherman
Sherwood
Slingerland
Stauf
G. Taylor
Tremain
Vosburgh
Wenzel
West
Whitmore
Willis
Worth
Wurts
Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lawrence	Scudder
Badger	Faulkner	Lewis	Seward
Barkley	Fay	Lincoln	Shattuck
Benedict	Fream	Mackin	Sherman
Berry	Friend	McGowan	Sherwood
Bishop	Gedney	McGroarty	Silverman
Bordwell	Green	Merwin	Slingerland
Bowen	Griffin	Muller	Stacy
Calkins	Hanschel	O'Keefe	Stauf
T. C. Campbell	Hess	Page	Struble
T. J. Campbell	Hinckley	Petty	Tremain
Christopher	Holmes	Pierson	Vosburgh
Clark	Houghton	Ransom	West
Cole	Hussey	Roscoe	Whitmore
Comstock	Husted	Russell	Willis
Cooke	W. A. Johnson	Sanford	Worth
Costigan	Kennaday	Schieffelin	Wurts
Daggett	Krack	Schuyler	Yost
Decker	Kshinka		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' and also to amend chapter 385 of the Laws of 1855, entitled 'An act to incorporate the fire department of the village of Rome, Oneida county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	W. A. Johnson	Roscoe
Badger	Costigan	Keenan	Sanford
Barkley	Daggett	Kennaday	Schenck
Benedict	Decker	Kirk	Schieffelin
Berry	Edson	Krack	Schuyler

Bishop	Ely	Kshinka	Scudder
Bordwell	Farrar	Lawrence	Seward
Bowen	Faulkner	Lewis	Shattuck
Braman	Friend	Lincoln	Sherman
Broas	Gallagher	Mackin	Sherwood
Brown	Gedney	McGowan	Slingerland
Burtis	Green	McGroarty	Struble
Calkins	Griffin	Merwin	G. Taylor
T. C. Campbell	Hammond	Muller	W. F. Taylor
T. J. Campbell	Hanrahan	Oakley	Vosburgh
Christopher	Hauschel	O'Keefe	Wenzel
Clark	Hinckley	Peck	West
Cleary	Holmes	Petty	Whitmore
Cole	Hussey	Pierson	Wurts
Comstock	Husted	Rich	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to appoint a reporter of the decisions of the supreme court," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Farrar	Kirk	Schenck
Badger	Faulkner	Krack	Schuyler
Barkley	Fay	Kshinka	Scudder
Berry	Fream	Lawrence	Seward
Bishop	Friend	Lewis	Sherman
Bowen	Gallagher	Lincoln	Sherwood
Broas	Gedney	Mackin	Shiel
Brogan	Griffin	McAfee	Smith
Burtis	Hammond	McGowan	Speaker
Calkins	Hanrahan	McGroarty	Stacy
T. C. Campbell	Hauschel	Merwin	Struble
T. J. Campbell	Hepburn	J. W. Miller	G. Taylor
Christopher	Hess	Muller	W. F. Taylor
Clark	Hinckley	O'Keefe	Tremain
Cleary	Holmes	Peck	Waehner
Coffey	Hussey	Petty	Wenzel
Comstock	Husted	Pierson	Whitmore
Cooke	W. A. Johnson	Rich	Willis
Costigan	Keenan	Roscoe	Worth
Daggett	Kennaday	Sanford	Wurts
Decker			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

Mr. Petty rose in his place and asked to have his name entered on the journal as having voted in the negative on the bill entitled "An act for

the better protection of human life at public watering or bathing places," he having voted in the affirmative by mistake.

The bill entitled "An act to provide for the election of police justices in villages," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Schuyler
Badger	Dessar	Kshinka	Soudder
Barkley	Edson	Law	Seward
Benedict	Farrar	Lawrence	Shattuck
Berry	Fay	Lewis	Sherman
Bishop	Fream	Lincoln	Shiel
Bordwell	Friend	McAfee	Silverman
Bowen	Gallagher	McGroarty	Speaker
Braman	Gedney	Merwin	Stacy
Broas	Green	W. Miller	Stauf
Burtis	Griffin	O'Keefe	Struble
Calkins	Hammond	Peck	G. Taylor
T. C. Campbell	Hanrahan	Petty	W. F. Taylor
T. J. Campbell	Hauschel	Pierson	Vosburgh
Christopher	Hess	Prince	Waehner
Clark	Hinckley	Ransom	Wenzel
Coffey	Holmes	Roscoe	Whitmore
Comstock	Husted	Russell	Willis
Cooke	W. A. Johnson	Sanford	Wurts
Costigan	Kennaday	Schenck	Yost
Daggett	Kirk		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same, over the Kill von Kull at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points, over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 59 }
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Cooke	Hinckley	Schuyler
Badger	Daggett	Holmes	Scudder
Barkley	Daly	Houghton	Sherman
Benedict	Decker	Hussey	Shiel
Bishop	Dessar	Husted	Speaker
Bordwell	Farrar	W. A. Johnson	Stacy
Bowen	Faulkner	Kennaday	Struble
Braman	Friend	Lawrence	W. F. Taylor
Burtis	Gallagher	Lincoln	Vosburgh
Calkins	Green	McGowan	West
T. C. Campbell	Griffin	McGroarty	Whitmore
T. J. Campbell	Hammond	Merwin	Willis
Christopher	Hanrahan	Peck	Worth
Clark	Hepburn	Prince	Yost
Comstock	Hess	Schenck	

Those who voted in the negative, were

Berry	Keenan	Krack	Roscoe
Davis	Kirk	O'Keefe	Smith
Hauschel			

Mr. Husted moved to reconsider the vote just taken, and that that motion lie upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to amend chapter 820 of the Laws of 1869, entitled 'An act to amend an act fixing the fees of justices of the peace and constables in civil and criminal cases, and the fees of jurors and witnesses in justices' courts, and for other purposes,' passed April 20, 1866, as to travel fees of constables," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }
{ NOES 26 }

Those who voted in the affirmative, were

Badger	Edson	Krack	Seward
Barrow	Ely	Lewis	Sherman
Benedict	Farrar	Lincoln	Shiel
Bennett	Faulkner	McAfee	Silverman
Bordwell	Fay	McGowan	Stacy
Broas	Gallagher	McGroarty	Stauf
Brogan	Green	J. W. Miller	Stephens
Burtis	Griffin	Muller	Struble
Calkins	Hanrahan	Oakley	G. Taylor
T. J. Campbell	Hauschel	O'Keefe	W. F. Taylor
Clark	Hepburn	Petty	Tremain

Cleary	Hinckley	Pierson	Vedder
Coffey	Hogan	Prince	Wenzel
Comstock	Houghton	Ransom	West
Cooke	Husted	Rich	Worth
Costigan	Keenan	Schenck	Wurts
Daly	Kennaday	Schieffelin	Yost
Dessar	Kirk	Schuyler	

Those who voted in the negative, were

Alvord	Davis	W. A. Johnson	Sanford
Barkley	Decker	Merwin	Scudder
Berry	Friend	W. Miller	Speaker
Bishop	Gedney	Peck	Waehner
Bowen	Hammond	Roscoe	Whitmore
Braman	Holmes	Russell	Willis
Christopher	Hussey		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Stephens moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same over the Kill von Kull, at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points over Arthur kill or Staten Island Sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named," was lost.

Mr Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Schenck
Badger	Dessar	Krack	Schieffelin
Barkley	Edson	Lawrence	Schuyler
Barrow	Ely	Lewis	Scudder
Benedict	Farrar	Lincoln	Seward
Bishop	Faulkner	McAfee	Silverman
Bordwell	Fay	McGowan	Speaker
Bowen	Fish	McGroarty	Stacy
Braman	Friend	Merwin	Stephens
Broas	Gallagher	J. W. Miller	G. Taylor

Burtis	Gedney	Muller	W. F. Taylor
Calkins	Green	O'Keefe	Tremain
T. C. Campbell	Hanrahan	Peck	Vosburgh
T. J. Campbell	Hepburn	Petty	West
Christopher	Hess	Pierson	Whitmore
Cleary	Hinckley	Prince	Willis
Comstock	Holmes	Ransom	Worth
Cooke	Houghton	Rich	Wurts
Costigan	Hussey	Sanford	Yost
Daly	Husted		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Farrar	Kirk	Scudder
Badger	Faulkner	Lawrence	Seward
Barkley	Fay	Lewis	Sherman
Barrow	Fish	Lincoln	Sherwood
Benedict	Friend	McAfee	Silverman
Bishop	Gallagher	McGowan	Speaker
Braman	Gedney	McGroarty	Stacy
Burtis	Green	Merwin	Stephens
Calkins	Griffin	J. W. Miller	G. Taylor
T. C. Campbell	Hammond	W. Miller	W. F. Taylor
T. J. Campbell	Hanrahan	Muller	Tremain
Clark	Hepburn	Peck	Vedder
Cole	Hess	Pierson	Wenzel
Comstock	Hinckley	Prince	West
Cooke	Holmes	Ransom	Whitmore
Decker	Houghton	Rich	Willis
Dessar	Hussey	Schenck	Worth
Edson	Husted	Schieffelin	Wurts
Ely	Keenan	Schuyler	Yost

Those who voted in the negative, were

Christopher	Costigan	Hauschel	Roscoe
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to extend the time for the collection of taxes in the city of Elmira."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act for the protection of fish in Hoffman pond, in Claverack, Columbia county, also in Round lake, Saratoga county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Shattuck
Badger	Decker	Lewis	Sherman
Barkley	Dessar	Lincoln	Sherwood
Barrow	Edson	McAfee	Silverman
Benedict	Ely	McGowan	Slingerland
Berry	Farrar	McGroarty	Speaker
Bishop	Fay	Muller	Stacy
Bordwell	Fish	Peck	Stanf
Braman	Friend	Petty	Stephens
Broas	Gedney	Pierson	Struble
Brown	Green	Ransom	G. Taylor
Calkins	Griffin	Rich	W. F. Taylor
T. C. Campbell	Hanrahan	Roscoe	Tremain
T. J. Campbell	Hauschel	Russell	Wenzel
Christopher	Hess	Sanford	West.
Clark	Hinckley	Schenck	Whitmore
Cole	Holmes	Schieffelin	Willis
Comstock	Houghton	Schuyler	Worth
Cooke	Husted	Scudder	Wurts
Costigan	W. A. Johnson	Seward	Yost
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the liquidation and payment of claims against the State of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dessar	Kennaday	Sanford
Badger	Edson	Kirk	Schenck
Barkley	Ely	Kshinka	Schieffelin
Benedict	Farrar	Law	Schuyler
Berry	Faulkner	Lawson	Scudder
Bishop	Fay	Lewis	Seward
Bordwell	Friend	Lincoln	Shattuck
Braman	Gedney	McGowan	Sherman
Broas	Green	McGroarty	Sherwood
Burtis	Griffin	J. W. Miller	Shiel
Calkins	Hammond	W. Miller	Silverman
T. C. Campbell	Hanrahan	Muller	Speaker
T. J. Campbell	Hepburn	Peck	Stephens

Christopher	Hess	Petty	Struble
Clark	Hinckley	Pierson	G. Taylor
Comstock	Holmes	Pope	W. F. Taylor
Cooke	Houghton	Rich	Wenzel
Costigan	Hussey	Roscoe	Worth
Daggett	W. A. Johnson	Russell	Yost
Daly			

For the negative,

Decker

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act creating the office of Richmond county fire marshal and prescribing his powers and duties," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Lincoln	Shattuck
Badger	Decker	McAfee	Sherman
Barkley	Edson	McGowan	Shiel
Barrow	Ely	McGroarty	Silverman
Benedict	Farrar	Merwin	Slingerland
Berry	Fay	J. W. Miller	Speaker
Bishop	Fish	Muller	Stacy
Bordwell	Friend	Oakley	Stauf
Braman	Gedney	Peck	Stephens
Broas	Green	Petty	Struble
Brown	Griffin	Pierson	W. F. Taylor
Burtis	Hanrahan	Pope	Tremain
Calkins	Hauschel	Roscoe	Vedder
T. C. Campbell	Holmes	Russell	Waehner
Christopher	W. A. Johnson	Sanford	Wenzel
Clark	Kennaday	Schenck	West
Comstock	Kirk	Schieffelin	Willis
Cooke	Kshinka	Schuyler	Wurts
Costigan	Law	Seudder	Yost
Daggett	Lawson	Seward	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Pierson called from the table the following report of the committee on expenditures of the House:

Mr. Berry, from the committee on expenditures of the House, to which was referred the resolution of Mr. Cole, namely:

"Whereas, The labors of the postmaster and assistant postmaster are such that they are required to weigh and stamp all documents sent by mail or express, and entering in a book, to be kept by them for that purpose, the amount of postage or express charges paid thereon, which

imposes upon the postmaster and assistant postmaster of the Assembly labors which are impossible for them to perform without the assistance of additional help,"

Report that said committee have had the same under consideration, and have directed their chairman to report the following resolution:

Resolved, That R. B. Vose be and he is hereby appointed superintendent of the mailing and express department during the present session, at a compensation of five dollars per day.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Daly	Keenan	Scudder
Badger	Decker	Law	Shattuck
Barkley	Dessar	Lawson	Silverman
Barrów	Edson	Lewis	Slingerland
Benedict	Ely	Lillybridge	Smith
Bennett	Faulkner	Lincoln	Speaker
Berry	Fay	McAfee	Stacy
Bordwell	Fish	McGowan	Stauf
Braman	Friend	McGroarty	Stephens
Broas	Gallagher	Merwin	Struble
Brogan	Green	Muller	G. Taylor
Burtis	Hanrahan	Oakley	W. F. Taylor
Calkins	Hauschel	Peck	Tremain
T. C. Campbell	Hepburn	Petty	Vedder
T. J. Campbell	Hess	Pierson	Wenzel
Christopher	Hinckley	Pope	West
Clark	Holmes	Roscoe	Willis
Cleary	Houghton	Russell	Worth
Cole	Hussey	Sanford	Wurts
Comstock	Husted	Schenck	Yost
Costigan	W. A. Johnson	Schieffelin	

Those who voted in the negative, were

Bishop Cooke

The bill entitled "An act further to amend section 28 of chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lewis	Seward
Badger	Ely	Lillybridge	Shattuck
Barkley	Farrar	Lincoln	Sherman

Berry	Fay	McAfee	Sherwood
Bishop	Freem	McGowan	Shiel
Braman	Friend	McGroarty	Silverman
Broas	Gallagher	Merwin	Smith
Brogan	Gedney	J. W. Miller	Speaker
Brown	Green	W. Miller	Stacy
Calkins	Griffin	Muller	Stephens
T. C. Campbell	Hammond	Oakley	Struble
T. J. Campbell	Hauschel	Petty	G. Taylor
Christopher	Hepburn	Pierson	W. F. Taylor
Clark	Hess	Pope	Vedder
Cole	Holmes	Roscoe	Vosburgh
Comstock	Houghton	Russell	Waehner
Cooke	Husted	Sanford	Wenzel
Costigan	W. A. Johnson	Schenck	West
Daggett	Kennaday	Schieffelin	Whitmore
Daly	Kirk	Schuyler	Worth
Davis	Kshinka	Scudder	Wurts
Decker	Lawrence		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act further amending chapter 680 of the Laws of 1871, entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,'" as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Hussey	Shiel
Badger	Daggett	Kennaday	Silverman
Barrow	Daly	Kshinka	Slingerland
Benedict	Decker	Lewis	Smith
Bennett	Dessar	Lillybridge	Speaker
Berry	Edson	Lincoln	Stacy
Bishop	Ely	McGroarty	Stauf
Braman	Farrar	Merwin	Stephens
Broas	Faulkner	J. W. Miller	Struble
Brogan	Fay	Oakley	G. Taylor
Brown	Freem	Peck	W. F. Taylor
Burtis	Gallagher	Petty	Tremain
Calkins	Gedney	Pope	Vosburgh
T. C. Campbell	Green	Roscoe	Wenzel
T. J. Campbell	Hanrahan	Schenck	West
Christopher	Hauschel	Schuyler	Whitmore
Clark	Hepburn	Scudder	Willis
Cleary	Hess	Seward	Worth
Coffey	Hinckley	Shattuck	Wurts
Cole	Holmes	Sherman	Yost
Comstock	Houghton		

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The Senate bill entitled "An act in relation to the treatment of animals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Costigan	Holmes	Schenck
Barkley	Daggett	Hussey	Schieffelin
Barrow	Daly	Husted	Scudder
Benedict	Davis	W. A. Johnson	Shattuck
Bennett	Decker	Keenan	Sherman
Berry	Dessar	Kennaday	Sherwood
Bishop	Edson	Kshinka	Shiel
Bordwell	Ely	Law	Silverman
Braman	Farrar	Lewis	Smith
Broas	Faulkner	Lillybridge	Speaker
Brogan	Fay	Lincoln	Stacy
Brown	Fish	Mackin	Stauf
Burtis	Fream	McGowan	Stephens
Calkins	Friend	McGroarty	Struble
T. C. Campbell	Gallagher	Merwin	W. F. Taylor
T. J. Campbell	Gedney	J. W. Milier	Tremain
Christopher	Green	Oakley	Vosburgh
Clark	Hanrahan	O'Keefe	Wenzel
Cleary	Hauschel	Peck	Whitmore
Coffey	Hepburn	Petty	Worth
Cole	Hess	Pope	Yost
Cooke	Hinckley		

Those who voted in the negative, were

W. Miller	Seward	West	Willis
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Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 522 of the Laws of 1860, entitled 'An act to prevent encroachments and obstructions in the harbor of New York, and to authorize their removal and correct the harbor commissioners' lines,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Daly	Houghton	Seward
Badger	Dessar	Hussey	Shattuck

Barkley	Edson	Husted	Sherman
Barrow	Ely	W. A. Johnson	Sherwood
Benedict	Farrar	Kshinka	Shiel
Bishop	Faulkner	Lillybridge	Speaker
Bordwell	Fay	Lincoln	Stacy
Braman	Fish	Mackin	Stauf
Broas	Fream	McGroarty	Stephens
Calkins	Gallagher	Merwin	Struble
T. C. Campbell	Gedney	J. W. Miller	G. Taylor
T. J. Campbell	Green	W. Miller	W. F. Taylor
Christopher	Griffin	Oakley	Tremain
Clark	Hammond	Peck	Vedder
Coffey	Hanrahan	Petty	Vosburgh
Cole	Hauschel	Pierson	Wenzel
Comstock	Hepburn	Pope	West
Cooke	Hess	Roscoe	Willis
Costigan	Hinckley	Schenck	Wurts
Daggett	Holmes	Scudder	Yost

Those who voted in the negative, were

Brogan Smith

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the Senate bill entitled "An act to provide for the appointment of additional notaries public," with a message informing of agreement with the report of the committee of conference thereon.

Ordered, That the Clerk return said bill to the Senate.

By unanimous consent, Mr. West introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the Mechanicville Bridge Company, for the purpose of constructing and maintaining a bridge over the Hudson river between the village of Mechanicville and the town of Schaghticoke,' passed May 6, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Alvord introduced a bill entitled "An act to authorize the common council of the city of Syracuse to repave Salina street in said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Hammond, at 2 o'clock the House adjourned.

THURSDAY, APRIL 1, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. McLaughlin.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of

Rensselaer,' passed May 5, 1870," with a message informing that they assent to the appointment of a committee of conference thereon, and have appointed Messrs. Parmenter, Thompson and Connolly such committee on the part of the Senate.

Also, the bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of raising money to supply a deficiency in the poor department of said city" (returned from the Governor for amendment), with a message that they had passed the same, as amended.

Ordered, That the Clerk deliver said bill to the Governor.

This being the day assigned by the rule for the consideration of general orders,

The Senate returned the bill entitled "An act provding for the election of bay constables in the towns of Brookhaven, Islip, Babylon and Huntington, in the county of Suffolk, and to define their duties; also, to repeal section 8 of chapter 234 of the Laws of 1870, entitled 'An act for the preservation of shell fish in the waters of the South bay, Suffolk county,'" with a message informing that they had passed the same, with the following amendments:

Strike out section 7, and change the number of the remaining sections to correspond.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Edson	Law	Schenck
Barkley	Ely	Lawrence	Schuyler
Benedict	Farrar	Lawson	Scudder
Bennett	Faulkner	Lewis	Shattuck
Berry	Fay	Lincoln	Sherman
Bishop	Fream	Mackin	Sherwood
Bordwell	Gallagher	McGowan	Smith
Braman	Gedney	Merwin	Speaker
Broas	Green	J. W. Miller	Stauf
Calkins	Griffin	Muller	Struble
T. C. Campbell	Hammond	Oakley	G. Taylor
T. J. Campbell	Hanrahan	Page	Vedder
Clark	Hauschel	Petty	Vosburgh
Cleary	Hinckley	Pierson	Waehner
Comstock	Holmes	Ransom	Wenzel
Cooke	Kennaday	Reilly	Whitmore
Costigan	Kirk	Roscoe	Willis
Daggett	Krack	Russell	Yost
Daly	Kshinka	Sanford	

For the negative,
W. Miller

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the concurrent resolution of the Assembly authorizing the appointment of a joint committee of Senate and Assembly to examine into the alleged frauds in the management of the canals of this State, with a message informing of concurrence in the passage of the same, with the following amendments:

Line 3, after the word "Senate," insert the words "to be appointed by the President of the Senate." Same line, strike out the word "five" and insert the word "three."

Line 10, after the word "furnished" insert as follows: "and the whole subject connected with the performance thereof, and all awards made by Canal Appraisers."

Mr. Speaker put the question whether the House would concur in said amendments, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act empowering the commissioners appointed to investigate the affairs of the canals of the State in pursuance of a joint resolution of the Senate and Assembly of 1875, to compel the attendance of witnesses and fixing the compensation of such commissioners," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bill entitled as follows:

"An act in relation to mortgages made by manufacturing companies."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows:

"An act to extend the time for the collection of taxes in the county of Richmond."

The Senate returned the Senate bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,'" with a message informing that they do non-concur in the amendments of the Assembly to said bill, and have appointed as a committee of conference thereon Messrs. Gross, Dickinson and Bradley, and request a like committee on the part of the Assembly.

Mr. Waehner moved that a like committee be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Waehner, T. C. Campbell, Hammond, Petty and Vedder.

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have appointed a committee of conference thereon.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Oakley, Int. No. 764, entitled "An act to authorize the religious society in the city of New York known as the Temple Bethel to buy and hold land for cemetery purposes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. T. J. Campbell introduced a bill entitled "An act in relation to the cleaning of the streets, avenues, lanes, alleys, places, wharves, piers and heads of slips in the city of New York, and the removal of ashes, garbage and rubbish and sweepings therefrom, and for the creation of a department to be known and entitled "The department of street cleaning of the city of New York," the head of which shall be known and entitled "The commissioner of street cleaning," who shall take charge of and perform said work, and to secure a more effectual state of cleanliness and a better sanitary condition of the streets of said city than has heretofore existed," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

By unanimous consent, Mr. W. Miller introduced a bill entitled "An act relating to free instruction in drawing," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

By unanimous consent, Mr. Badger introduced a bill entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Lawrence introduced a bill entitled "An act to amend an act entitled 'An act establishing a quarantine and defining the qualifications, duties and powers of the health officer for the harbor and port of New York,' passed April 29, 1863, and amended April 22, 1867," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Waehner introduced a bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate of which James Gillen died seized, to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

By unanimous consent, Mr. Silverman introduced a bill entitled "An act to lay out a public park in that part of the city of Brooklyn known as the eastern district," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. Silverman, and by unanimous consent, said bill was ordered printed.

By unanimous consent, Mr. Peck introduced a bill entitled "An act to legalize the acts of Ensworth D. Babcock, as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Edson introduced a bill entitled "An act for the incorporation of library societies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, by unanimous consent, a bill entitled "An act to amend an act entitled 'An act to simplify and abridge the practice and proceedings of the courts of this State, known as the Code of Procedure,' which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Ransom moved to lay the present order of business on the table for the purpose of taking up the orders of business, introduction of bills and reports of committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Scudder introduced a bill entitled "An act to amend an act entitled 'An act to amend the act for the protection and improvement of the Seneca Indians residing on the Cattaraugus and Allegany reservations, in this State,' passed November 15, 1847," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on Indian affairs.

Mr. Braman introduced a bill entitled "An act to authorize the president and trustees of the village of West Troy to raise, by tax upon the taxable property within said village, the sum of \$5,024.76, to pay the outstanding indebtedness of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Ransom introduced a bill entitled "An act to abolish the office of police justice in the village of Tonawanda," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. W. A. Johnson introduced a bill entitled "An act to dissolve the corporate powers of the Hamburg and Versailles Plank-road Company, incorporated March 25, in the year 1850," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Kennaday introduced a bill entitled "An act to provide for the payment of jurors in important and protracted trials in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Burtis introduced a bill entitled "An act to provide for the extending, opening and improvement of Downing street, between Quinoy street and Lafayette avenue, in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled "An act to authorize the court of oyer and terminer and court of sessions of the county of Kings to sentence prisoners convicted in said county of any offense to the penitentiary of said county for any term for which they might be sentenced to a State prison," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Dessar introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. McGowan introduced a bill entitled "An act to secure free exercise and enjoyment of religious profession and worship, without discrimination or preference to all mankind, confined in State prisons and other places of confinement," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Reilly introduced a bill entitled "An act to amend chapter 1885 of the Laws of 1872, entitled 'An act to incorporate the Gilbert Elevated Railway Company, and to provide a feasible, safe and speedy system of transit through the city of New York,' passed June 17, 1872, and the act or acts amendatory thereof or supplementary thereto," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Bennett introduced a bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' passed May 22, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Keenan introduced a bill entitled "An act to alter the map or plan of the city of New York by extending Lafayette place," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGowan introduced a bill entitled "An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. Hess introduced a bill entitled "An act to amend an act entitled 'An act to improve and regulate the use of the Fourth avenue, in the city of New York,' passed May 14, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Hauschel introduced a bill entitled "An act to amend chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Costigan introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Struble introduced a bill entitled "An act to enlarge the jail limits of the county of Yates," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Worth introduced a bill entitled "An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Talmage presented a petition of G. H. Bergen and others in reference to reduction in salary of city officers; which was read and referred to the committee on affairs of cities.

By unanimous consent, Mr. Fay presented several petitions for the repeal of chapter 77 of the Laws of 1873, entitled "An act to equalize the representation in the board of supervisors of Fulton county, passed

March 13, 1873;" which were read and referred to the committee on internal affairs.

By unanimous consent, Mr. T. C. Campbell presented a memorial of Charles F. Palmer concerning drawing-room and sleeping-car companies; which was read and referred to the committee on railroads.

Mr. Schieffelin introduced a bill entitled "An act to further amend chapter of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relates to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the power of the corporation of said village," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Vosburgh presented a petition for a swing bridge over the canal at Lawrence street, Albany; which was read and referred to the committee on canals.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Sherwood, Int. No. 483, entitled "An act to amend an act entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chenango canal extension which lies south of the Susquehanna river,' passed June 26, 1873," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Ely, from the committee on roads and bridges, to which was referred the Senate bill introduced by Mr. Selkreg, Int. No. 80, entitled "An act to authorize the board of supervisors of the county of Broome to provide for the erection of bridges over the Susquehanna and Chenango river between the towns of Kirkwood and Conklin and Chenango and Fenton in said county," reported adversely thereto, which report was agreed to.

Mr. Schuyler, from the committee on banks, to which was referred the bill introduced by Mr. Hepburn, Int. No. 578, entitled "An act to amend chapter 9, title 14, part 1 of the Revised Statutes, relative to the United States deposit fund," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schuyler, from the committee on banks, to which was referred the bill introduced by Mr. Shiel, Int. No. 808, entitled "An act to extend the time for the organization of the Central Trust Company of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schuyler, from the committee on banks, to which was referred the Senate bill entitled "An act relative to the Farmers' Loan and Trust Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Edson, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Wenzel, Int. No. 30, entitled "An act to release to Jane Barry the title of the people of the State of New York in and to certain real estate," reported adversely thereto, which report was agreed to.

Mr. Willis moved to take from the table the motion to reconsider the

vote agreeing to the adverse report on the bill, Int. No. 294, entitled "An act to provide for the payment of certain certificates issued to the militia of the State for services in the war of 1812."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

The question being on reconsidering,

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative.

On motion of Mr. Husted, the report of the committee was disagreed with, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. McGroarty, Int. No. 450, entitled "An act to except a railroad proposed to be constructed in the towns of New Utrecht, Gravesend and Flatlands from the provisions of an act to regulate the construction and protection of railway crossings in the county of Kings, passed April 19, 1871," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Witbeck, Int. No. 20, entitled "An act to extend the time for the completion of the act to authorize the construction of a railroad from, at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 552, entitled "An act to amend an act entitled 'An act for the incorporation of building, mutual loan and accumulating fund associations,' passed April 10, 1851," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend chapter 22 of the Laws of 1851, entitled 'An act for the incorporation of building, mutual loan and accumulating fund associations,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. G. Taylor, Int. No. 771, entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hanrahan, Int. No. 188, entitled "An act concerning certain female habitual drunkards, vagrants and prostitutes in the city of Buffalo and county of Erie," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was recommitted the bill introduced by Mr. McGowan, Int. No. 514, entitled "An act to regulate coroners' inquests in the various counties of the

State of New York, and to provide for the payment of services rendered by scientific persons as experts," retaining its place on general orders, reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Barrow, Int. No. 617, entitled "An act to incorporate the New York Bureau of Titles," reported adversely thereto, which report was agreed to.

On motion of Mr. Barrow, said bill was laid on the table.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Whitmore, Int. No. 786, entitled "An act to legalize and confirm the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to legalize the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 540, entitled "An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another, upon application to the supreme court," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. McGowan, Int. No. 118, entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hammond, Int. No. 620, entitled "An act in relation to taxes on lands sold by the State, and to amend the Revised Statutes in relation thereto," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Vedder, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," and the same was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Coffey	Ives	Sanford
Badger	Cole	Keenan	Schenck
Barkley	Comstock	Kennaday	Schieffelin
Barrow	Cooke	Krack	Schuyler
Beach	Costigan	Kshinka	Seward
Benedict	Decker	Lawrence	Sherwood
Bennett	Dessar	Lewis	Speaker
Berry	Edson	Lillybridge	Stacy
Bishop	Ely	Lincoln	Stephens
Bordwell	Farrar	J. W. Miller	Struble
Bowen	Gedney	O'Keefe	G. Taylor
Braman	Green	Page	Tewksbury
Broas	Griffin	Peck	Tremain
Brogan	Hanrahan	Petty	Vedder
Brown	Hauschel	Pierson	Vosburgh
Burtis	Hepburn	Pope	Wenzel
Calkins	Hinckley	Reilly	Whitmore
T. C. Campbell	Holmes	Rich	Willis
Christopher	Houghton	Roscoe	Wurts
Clark	Hussey	Russell	Yost
Cleary	Husted		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. G. Taylor, and by unanimous consent, the bill entitled "An act to amend an act entitled 'An act to revise and consolidate the general acts relating to public instruction,' passed May 2, 1864," was recommitted to the committee on public education, retaining its place on general orders.

On motion of Mr. Benedict, and by unanimous consent, the bill entitled "An act authorizing the city of Schenectady to raise money for school purposes," was recommitted to the committee on public education, retaining its place on general orders.

On motion of Mr. Vosburgh, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873," and the same was ordered to a third reading.

On motion of Mr. Brogan, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to authorize the New York Bowery Insurance Company to elect one or more vice-presidents," and the same was ordered to a third reading.

Said bill being announced for a third reading,

On motion of Mr. Alvord, said bill was amended by striking out in section 1 the words "organized under chapter 218 of the Laws of 1833, as amended by chapter 466 of the Laws of 1853."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	W. A. Johnson	Schenck
Barkley	Daggett	Keenan	Schuyler
Barrow	Daly	Kennaday	Seward
Beach	Decker	Lawson	Sherwood
Benedict	Edson	Lewis	Smith
Bennett	Ely	Lincoln	Speaker
Berry	Farrar	McAfee	Stacy
Bishop	Fream	Merwin	Stephens
Bowen	Gallagher	Muller	Struble
Braman	Gedney	Oakley	G. Taylor
Broas	Green	Page	W. F. Taylor
Brogan	Griffin	Peck	Tewksbury
Burtis	Hanrahan	Petty	Tremain
Calkins	Hauschel	Pierson	Vedder
T. C. Campbell	Hepburn	Pope	Vosburgh
Clark	Holmes	Ransom	Wenzel
Cleary	Houghton	Reilly	West
Coffey	Hussey	Rich	Willis
Cole	Husted	Roscoe	Wurts
Comstock	Ives	Sanford	Yost
Cooke			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Rich offered for the consideration of the House a resolution, in the words following:

Resolved, That the consideration of Assembly bill No. 342, entitled "An act to suppress intemperance and to regulate the sale of intoxicating liquors," be made a special order for Thursday evening of next week.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act providing for the election of bay constables in the towns of Brookhaven, Islip, Babylon and Huntington, in the county of Suffolk, and to define their duties; also, to repeal section 8 of chapter 234 of the Laws of 1870, entitled 'An act for the preservation of shell-fish in the waters of the South bay, Suffolk county.'"

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. Hanrahan, and by unanimous consent, the committee of the whole was discharged from the consideration of the bill entitled "An act to amend chapter 798 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo,' passed April 27, 1871," and the same was referred to the committee on general laws, retaining its place on general orders.

The House then resolved itself into a committee of the whole on the bills entitled as follows :

"An act to incorporate Saint Luke's Home and Hospital of Newburgh and New Windsor, New York."

"An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church,' passed February 20, 1874."

Senate, "An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bowen, from said committee, reported progress on said first mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Alvord, the committee of the whole was discharged from the further present consideration of said bill, and the same was referred to the committee on the judiciary, retaining its place on general orders.

Mr. Bowen, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments, and the title amended by striking out all after the word "church;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Bowen, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' passed the 22d day of May, 1872."

"An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and the several acts amendatory thereof."

"An act to regulate the quality and price of illuminating gas, and to provide for the office of meter inspectors for the city of Brooklyn."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Broas, from said committee, reported in favor of the passage of said first mentioned bill, with amendments, and the title amended by striking out all after the words "New York;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Broas, from said committee, also reported progress on said second mentioned bill, with the title amended by striking out all after the word "societies," and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Kennaday, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

Mr. Broas, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

A message from the Senate was received and read, in the words following :

IN SENATE, *April 1, 1875.*

The report of the committee of conference agreed to with the following amendment: "Amend the paragraph providing for compensation of officers by making the compensation of deputy clerks fifteen hundred dollars each."

By order,

HENRY A. GLIDDEN, *Clerk.*

Your committee of conference, to which was referred the matters of difference between the two Houses upon the Assembly bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof,'" beg leave respectfully to report that they have met and duly considered the same, and have agreed to recommend that the Senate recede from the following amendments to the bill proposed by the Senate, namely (reference in all cases being made to the engrossed bill):

Line 1, strike out the words "two and."

Line 12, strike out the word "are" and insert in the place thereof the word "is."

Change section 2 to section 3.

And your committee further report that they have agreed to recommend that the Senate recede from its amendment striking out the paragraph commencing on line 13 and concluding on line 35, both inclusive, and recommend that the same be restored to the bill, amended so as to read as follows:

"§ 2. The Assembly may elect or appoint a clerk, a stenographer, a sergeant-at-arms and an assistant, a postmaster and an assistant, a superintendent of documents, a door-keeper and ten assistants, one person who shall perform the duties of janitor and keeper of the Assembly chamber and its ante-rooms, and an assistant, a mail carrier, who shall carry the mails for the Assembly, not more than sixteen persons who shall serve as clerks of committees, not more than six general messengers, not more than seventeen messengers to committees, one of whom shall serve as messenger to the committee on engrossed bills, and not more than twenty pages. The Speaker may appoint a clerk and messenger, and the Clerk of the Assembly may appoint an assistant clerk, a journal clerk, and not more than nine deputies, one of whom shall be clerk to the committee on engrossed bills, a librarian and an assistant, and not more than five messengers.

And your committee further report that they have agreed to recommend that the Assembly concur in all the Senate amendments to the third section of the bill, so amended as that the section shall read as follows:

"§ 3. The following compensation shall be paid for the annual session of the Legislature, commencing with the current session: To the clerks of each House, three thousand five hundred dollars; to the assistant clerks and journal clerks each, two thousand dollars; to the deputy clerks each, twelve hundred dollars, except to the clerk assigned to the committee on engrossed bills of the Senate, who shall be entitled to nine hundred dollars, to the clerk of the President of the Senate, six dollars per day, to the Speaker's clerk, seven dollars per day; to the sergeant

at-arms, the assistant sergeant-at-arms, the librarians, the assistant librarians, the postmaster of the Assembly, the assistant postmasters of the Senate and Assembly, and the doorkeepers, to each of them, six dollars per day; to the assistant doorkeepers, the keepers and janitors, the assistant keepers and janitors, the superintendents of documents of the Senate and Assembly, each five dollars per day; to the stenographers fifteen hundred dollars each. The duties of said stenographers shall be to be present at every session of the body for which they are respectively appointed, and to take stenographic notes of the debates in such respective bodies, and in the committee of the whole thereof, and to furnish a copy of the same, written out in long hand, to any member of the body for which he is appointed stenographer as aforesaid. To the clerks of the committees of ways and means and the judiciary of the Assembly, and of finance and the judiciary of the Senate, seven dollars per day each, and to the clerks of the committees on affairs of cities of the Senate and Assembly, six dollars per day each, and to the clerks of the other committees of each House, each five dollars per day; and each of the officers in this section above named, shall receive the same mileage as is now allowed by law to the members of the Legislature; to the mail carrier of each House, to be appointed by the presiding officer thereof, two dollars per day; to the bank messengers of the clerks of the Senate and Assembly, each, five dollars per day; to the other messengers, each three dollars per day; to the pages each two dollars per day. And the employees of the Senate and Assembly, whether appointed or elected, shall each be paid the same per diem compensation respectively, for each day of any extra session of the Legislature which may be held as their respective compensation or per diem allowance as established by this section would give per day for every day of the regular session of the Legislature of the same year. And the officers and employees of the Senate who may be designated to attend upon the Senate when sitting as a court for the trial of impeachments, or upon the trial of judicial officers on the recommendation of the Governor, shall be paid the same per diem allowance as for attendance at an extra session of the Legislature as herein provided. And there shall be paid annually to the Clerk of the Assembly, for revising, mailing and sending to the members of the Legislature, previous to the organization thereof, the Clerk's Manual, the sum of two hundred and fifty dollars. And there shall be paid annually to the Clerk of the Senate five hundred dollars, and to the Clerk of the Assembly seven hundred and fifty dollars, for indexing the journals, bills and documents of the Senate and Assembly; and hereafter the indices to the journals, bills and documents of the two Houses of the Legislature shall be made by the Clerks of the respective Houses, instead of by the Secretary of State, as heretofore provided by law. And there shall be paid annually to the Clerk of the Senate five hundred dollars, and to the Clerk of the Assembly seven hundred and fifty dollars, or so much thereof as shall be necessary, for extra clerical services and engrossing. And no extra allowance shall be made to the officers and employees above named, on any pretense whatever. The mileage, compensation and per diem allowance in this section provided for shall be paid on the warrant of the Comptroller upon the certificate of the President of the Senate, for the officers and employees of the Senate; and on the certificate of the Speaker for the officers and employees of the Assembly. All appointments made under this act shall be entered on the journal of

the House wherein they are so made ; such entry shall specify the date of the appointment, and the length of time the same is to be continued."

And your committee further report that they have agreed to recommend that both Houses concur in the Senate amendment added as section 2, so amended as to read as follows, and added at the end of section 3 as a part thereof:

"No fee, per diem compensation or mileage, shall be allowed to any officer of either branch of the Legislature for or on account of his attendance upon the opening of the next succeeding session of said body, except to the clerk, journal clerk, Speaker's clerk, sergeant-at-arms, postmaster, librarian and doorkeeper of the Senate and Assembly, and an assistant doorkeeper and four pages in the Senate, and three assistant doorkeepers, two messengers and six pages in the Assembly. The presiding officers of the respective Houses shall designate which assistant doorkeeper and pages of the Senate, and which assistant doorkeepers, pages and messengers of the Assembly may attend upon the organization of the next Legislature, and no other officers of either branch of the Legislature shall be allowed to attend upon such organization. Such designation shall be so made before the close of the session, and be entered upon the journals of the respective Houses. Said officers named in this section, who shall serve at the opening of the next session of the Legislature as aforesaid, shall receive the same rate of compensation during each day's service, and mileage, as they were entitled by law to receive for like services at the preceding session of the Legislature."

D. P. WOOD,
W. H. ROBERTSON,
Senate Committee.

T. G. ALVORD,
WILLARD JOHNSON,
F. W. VOSBURGH,
S. H. HAMMOND,
JAMES W. HUSTED,
Assembly Committee.

Mr. Lincoln moved that said report be printed and placed upon the files, and that the same lie for the present upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher."

Senate, "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes.'"

Senate, "An act to release certain lands which have escheated to the State to Ellza Blain, widow of John Blain, late of the city of Buffalo."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Reilly, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Reilly, from said committee, also reported in favor of the passage of said second and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State."

"An act to release the interest of the people of the State of New York in certain real estate, in the town of Avon, New York, to Margaret Curran."

"An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Bennett, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

By unanimous consent, Mr. Kennaday introduced a bill entitled "An act to provide for raising money to provide an armory in the city of Brooklyn for the Fourteenth regiment of the National Guard of the State of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition and papers on the same subject; which were read and referred to the same committee.

Also, by unanimous consent, a bill entitled "An act to authorize the county of Kings to purchase from the State of New York the State arsenal in the city of Brooklyn as an armory, and to provide for the sale of the same by the State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, a bill entitled "An act to provide for the apportionment of rents, annuities, dividends and other payments," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Dessar, at 2 o'clock the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows:

"An act to extend the time for the collection of taxes in the county of Livingston."

Mr. Speaker announced the special order, being the consideration of the bill entitled as follows:

"An act in relation to canals."

On motion of Mr. Alvord, and by unanimous consent, the consideration of said bill was postponed for the present.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate."

"An act to fix the salaries of certain State officers."

"An act to amend an act entitled 'An act for the relief of the surviving members of the First regiment of New York volunteers, who served in the war with Mexico.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Ransom, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 83, entitled "An act empowering the commissioners appointed to investigate the affairs of the canals of the State in pursuance of a joint resolution of the Senate and Assembly of 1875, to compel the attendance of witnesses, and fixing the compensation of such commission," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hammond, and by unanimous consent, said bill was being read a third time, when

Mr. Willis moved to recommit said bill to the committee on the judiciary, with instructions to strike out the word "twenty" before the word "dollars," in section 2, line 2, engrossed bill, and insert in lieu thereof the word "fifteen."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Keenan	Schenck
Badger	Daly	Kennaday	Schieffelin
Barkley	Davis	Kirk	Schuyler
Barrow	Decker	Lawrence	Scudder
Benedict	Dessar	Lewis	Seward
Bennett	Edson	Lillybridge	Shattuck
Berry	Ely	Mackin	Sherwood
Bishop	Farrar	McAfee	Shiel
Bordwell	Faulkner	McGowan	Smith
Bowen	Fay	McGroarty	Speaker
Braman	Fish	Merwin	Stacy
Brogan	Fream	J. W. Miller	Stephens
Burtis	Gallagher	W. Miller	G. Taylor
Calkins	Gedney	Muller	W. F. Taylor
T. C. Campbell	Green	Oakley	Tewksbury
T. J. Campbell	Griffin	O'Keefe	Vosburgh
Christopher	Hammond	Peck	Waehner
Clark	Hanrahan	Petty	Wenzel
Cleary	Hauschel	Pierson	West
Coffey	Hess	Ransom	Whitmore

Cole	Hinckley	Roscoe	Willis
Comstock	Holmes	Russell	Wurts
Cooke	Houghton	Sanford	Yost
Costigan	W. A. Johnson		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Davis moved that the bill entitled "An act in relation to canals," be made a special order for Tuesday evening next.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent, Mr. Page introduced a bill entitled "An act in relation to canals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

On motion of Mr. Page, said bill was ordered printed.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to repeal chapter 270 of the Laws of 1829, entitled 'An act for the prevention of masquerades.'"

"An act in relation to coroners' fees and post-mortem examinations in Erie county."

An act to authorize the board of supervisors of the county of Westchester to build an insane asylum."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pope, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

On motion of Mr. Talmage, the committee of the whole was discharged from the present consideration of the bill entitled "An act to provide for assessing and collecting the cost of lands taken for Prospect park, in the city of Brooklyn," and the same was recommitted to the committee on affairs of cities, retaining its place on general orders.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend the charter of the city of Brooklyn."

"An act to amend an act entitled 'An act to incorporate the city of Binghamton,' passed April 9, 1867, and the several acts amending the same."

Senate, "An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Schieffelin, from said committee, reported in favor of the passage of said first and second mentioned bills, the second mentioned with amendments and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 291 of the Laws of 1867," also by striking out the words "passed April 9, 1867;" which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Schieffelin, from said committee, also reported in favor of the pas-

sage of said third mentioned bill; which report was agreed to, and said bill ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

Senate, "An act to amend an act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States the jurisdiction thereof, passed April 15, 1857."

Senate, "An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872."

"An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Mackin, from said committee, reported in favor of the passage of said first and second mentioned bills, the second mentioned with amendments; which report was agreed to, and said bills ordered to a third reading.

Mr. Mackin, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bill entitled as follows:

"An act for the relief of the New York and Yonkers Fire Insurance Company."

"An act to require the payment of certain premiums to the fire departments of cities and incorporated villages by fire insurance companies not organized under the laws of the State of New York, but doing business therein."

"An act regulating the forfeiture of life insurance policies."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. West, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. West, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. West, from said committee, also reported progress on said third mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. Yost moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 49 }
{ NOES 24 }

Those who voted in the affirmative, were

Badger	Fish	Lewis	Schieffelin
Bennett	Fream	Lillybridge	Schuyler
Berry	Gallagher	Mackin	Shiel
Bishop	Gedney	McAfee	Smith
Burtis	Green	McGroarty	Stephens

T. J. Campbell	Griffin	Merwin	Talmage
Christopher	Hanrahan	Peck	W. F. Taylor
Costigan	Hinckley	Pope	Wenzel
Daly	Holmes	Reilly	West
Dessar	W. A. Johnson	Roscoe	Whitmore
Edson	Keenan	Russell	Wurts
Farrar	Kirk	Schenck	Yost
Fay			

Those who voted in the negative, were

Alvord	Coffey	Kennaday	Sherman
Benedict	Cole	McGowan	Speaker
Braman	Comstock	J. W. Miller	G. Taylor
Calkins	Cooke	Page	Vosburgh
T. C. Campbell	Hammond	Pierson	Waehner
Clark	Houghton	Seward	Willis

Ordered, That said bill be engrossed and to a third reading.

On motion of Mr. Bennett, at 9 o'clock and 30 minutes, the House adjourned.

FRIDAY, APRIL 2, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Mellen.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act to appoint a reporter of the decisions of the supreme court," with a message informing of non-concurrence in the amendments of the Assembly thereto, and that they have appointed a committee of conference thereon, consisting of Messrs. Tobey, Johnson and Laning, and request a like committee on the part of the Assembly.

Mr. Vedder moved that the request of the Senate be granted.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Vedder, Hammond, Husted, Shiel and Dessar were appointed such committee.

The Senate returned the bill entitled "An act further to amend chapter 680 of the Laws of 1871, entitled 'An act in relation to the location and erection of public buildings for the use of Erie county and the city of Buffalo,'" with a message informing of concurrence in the amendment of the Assembly thereto.

Ordered, That the Clerk return said bill to the Senate.

By unanimous consent, Mr. Petty introduced a bill entitled "An act releasing the interest of the State in certain lands of which Mary Ann Thompson died possessed, to Christopher G. Mason," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hess, Int. No. 726, entitled "An act in relation to cleaning the streets of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. J. Campbell, Int. No. 832, entitled "An act in relation to the cleaning of the streets, avenues, lanes, alleys, places, wharves, piers and heads of slips in the city of New York, and the removal of ashes, garbage, rubbish and sweepings therefrom, and for the creation of a department to be known and entitled 'The department of street cleaning of the city of New York,' the head of which shall be known and entitled 'The Commissioner of Street Cleaning,' who shall take charge of and perform said work, and to secure a more effectual state of cleanliness and a better sanitary condition of the streets of said city than has heretofore existed," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. T. J. Campbell, said bills were recommitted to the committee on affairs of cities, retaining their place on general orders.

Mr. Brogan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Company to exchange the same for the second mortgage bonds of said company."

"An act to authorize the New York Bowery Insurance Company to elect one or more vice-presidents."

"An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church.'"

"An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York.'"

"An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies.'"

"An act to regulate the quality and price of illuminating gas, and to provide for the office of meter inspectors for the city of Brooklyn."

"An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher."

"An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State."

"An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns."

"An act to release the interest of the people of the State of New York in certain real estate, in the town of Avon, New York, to Margaret Curran."

"An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate."

"An act to fix the salaries of certain State officers."

"An act to amend an act entitled 'An act for the relief of the surviving members of the First Regiment of New York Volunteers, who served in the war with Mexico.'"

"An act to repeal chapter 270 of the Laws of 1829, entitled 'An act for the prevention of masquerades.'"

"An act in relation to coroners' fees and post-mortem examinations in Erie county."

"An act to authorize the board of supervisors of the county of Westchester to build an insane asylum."

"An act to amend the charter of the city of Brooklyn."

"An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton,' and the several acts amending the same."

"An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York."

"An act for the relief of the New York and Yonkers Fire Insurance Company."

"An act regulating the forfeiture of life insurance policies."

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sherman, Int. No. 794, entitled "An act to authorize the city of Utica to provide a building for fire department purposes; and to borrow and disburse money to pay for the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sherwood, Int. No. 740, entitled "An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same, passed April 6, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Cole, Int. No. 356, entitled "An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called, to the east line thereof," retaining its place on general orders, reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gedney, Int. No. 612, entitled "An act to amend chapter 825 of the Laws of 1873, entitled 'An act to authorize the laying of rails and to run cars thereon for the transportation of passengers in certain streets and avenues in the upper part of the city of New York,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, reported the bill entitled "An act to confirm, reduce and levy a certain assessment for improving Morton street, in the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Benedict, Int. No. 728, entitled "An act further to amend chapter 239 of the Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sherman, Int. No. 791, entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Vosburgh, Int. No. 308, reported in favor of the passage of a substitute bill, with the title amended so as to read, "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hanrahan, Int. No. 643, entitled "An act to amend an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, amended April 28, 1871, amended January 12, 1872, amended May 22, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, reported a bill entitled 'An act to provide for a uniform system of paving and repairing of the streets, avenues and public places of the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. G. Taylor, Int. No. 827, entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,' passed April 27, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Shiel, Int. No. 464, entitled "An act to amend an act to re-enact and amend an act entitled 'An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 23, 1873, passed May 6, 1874," also, the bill introduced by Mr. Shiel, Int. No. 549, entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," retaining their place on general orders, reported as a substitute for said bills a bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act to provide for the annexation of the towns of Morrisania, West Farms and Kingsbridge, in the county of Westchester, to the city and county of New York,' passed May 6, 1874," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which referred the bill introduced by Mr. Vosburgh, Int. No. 811, entitled was "An act to regulate the use of the dock or pier at the foot of Jersey street, in the county of Richmond," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Stephens, Int. No. 798, entitled "An act establishing and declaring the use of the dock and pier at the ferry landing on the easterly side of Front street, between Canal and Water streets, in the village of Edgewater, Richmond county," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Schieffelin, Int. No. 778, entitled "An act to authorize the commissioners of lands under water to lay out draw bridges," reported adversely thereto.

On motion of Mr. Schieffelin, said report was laid on the table.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Gallagher, Int. No. 104, entitled "An act to repeal chapter 293 of the Laws of 1871, entitled 'An act to amend an act entitled An act concerning pilots of the channel of the East River, commonly called Hell Gate,' passed April 15, 1847, and the various acts amendatory thereof, passed March 12, 1860, March 14, 1865, and April 16, 1868," reported adversely thereto, which report was agreed to.

By unanimous consent, Mr. Ransom introduced a bill entitled "An act confirming the title to the Williamsville Academy to the trustees of school district No. 3 of the town of Amherst," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Hussey introduced a bill entitled "An act to amend an act entitled 'An act to authorize William Hilliken to establish and maintain a ferry across the Cayuga lake at Cayuga bridge,' passed April 20, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. McAfee introduced a bill entitled "An act to exempt property, real and personal, of the Society of the New York Hospital from taxation," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Hepburn, Int. No. 105, entitled "An act to unify the supervisory department of the educational system of the State of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Husted, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to unify the supervisory department of the educational system of the State of New York," and the same ordered to a third reading.

Mr. T. J. Campbell, from the committee on State charitable institutions, to which was referred the Senate bill introduced by Mr. Tobey, Int. No. 77, entitled "An act to amend an act entitled 'An act to incorporate the Sisterhood of Grey Nuns in the State of New York,' passed April 6, 1871," reported in favor of the passage of the same, with

amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Silverman, Int. No. 567, entitled "An act to incorporate the Great Council of the Improved Order of Red Men of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Bordwell, Int. No. 516, entitled "An act in relation to passengers in certain cases," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Mackin, Int. No. 829, entitled "An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie railroad by the New York and New England Railroad Company,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Waehner, Int. No. 789, entitled "An act to amend an act to authorize stockholders of railroad and plank-road companies to make payments upon mortgages in process of foreclosure against such companies, and thereupon to become interested in said mortgages," passed June 30, 1853," reported the same for the consideration of the House, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Schenck introduced a bill entitled "An act to regulate the fare upon the Fonda and Fultonville horse railroad," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Beach introduced a bill entitled "An act to amend chapter 486 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

On motion of Mr. Beach, said bill was ordered printed.

By unanimous consent, Mr. Shiel introduced a bill entitled "An act in relation to the benevolent fund of the late volunteer fire department of the late town of Morrisania, now the Twenty-third ward of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of the report of the Institution for the Improvement of Deaf-mutes, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 1,500 copies of the report of the Institution for the Improvement of Deaf-mutes be printed for the use of the institution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the report of the committee of ways and means of 1874, on assessments and taxation, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 1,500 extra copies of the report of the committee on ways and means of 1874, on assessments and taxation, be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the fifty-sixth annual report of the New York Institution for the Deaf and Dumb, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 2,000 extra copies of the fifty-sixth annual report of the New York Institution for the Deaf and Dumb be printed for the use of the officers of that institution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the report of the Medical Society of the State of New York, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 1,000 extra copies of the Report of the Medical Society of the State of New York, in paper covers, be printed for the use of the Legislature, and 2,000 copies for the use of said society.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing copies of the Homœopathic Medical Society of the State of New York, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That there be printed, in paper covers, for the use of the Homœopathic Medical Society of the State of New York, 1,500 copies of the transactions of said society for the year 1875, and 1,000 for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Friend, from the committee on public printing, to which was referred the resolution relative to printing extra copies of the report of the Eclectic Medical Society of the State of New York, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 1,000 extra copies of the report of the Eclectic Medical Society of the State of New York, in paper covers, be printed for the use of the Legislature, and 1,500 copies for the use of said society.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

On motion of Mr. Sherman, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to authorize the city of Utica to provide a building for fire department purposes, and borrow and disburse money to pay for the same," and the same was ordered to a third reading.

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the Governor's message, reported in favor of the passage of the same, in the words following:

Resolved (if the Senate concur), That 1,000 extra copies of the Governor's annual message be printed in German for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Sherman, Int. No. 424, entitled "An act to confer on boards of supervisors further powers of local legislation and administration," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Sherman offered for the consideration of the House a resolution, in the words following:

Resolved, That 1,000 extra copies of the bill to confer further powers of local legislation and administration on boards of supervisors, and to regulate the compensation of boards of supervisors, be printed for the use of this House.

Mr Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester," was read a third time.

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Badger

Daggett
Daly

Kshinka
Lawrence

Scudder
Seward

Barkley	Decker	Lewis	Shattuck
Beach	Edson	Lincoln	Sherwood
Benedict	Farrar	McAfee	Shiel
Bennett	Fay	McGowan	Smith
Berry	Fream	McGroarty	Speaker
Bishop	Gallagher	Merwin	Stauf
Bordwell	Gedney	J. W. Miller	Stephens
Bowen	Griffin	W. Miller	Struble
Braman	Hammond	Muller	Tewksbury
Broas	Hanrahan	Oakley	Tremain
Brogan	Hauschel	Page	Vedder
Burtis	Hepburn	Peck	Vosburgh
Calkins	Hess	Petty	Waehner
T. C. Campbell	Hinckley	Pierson	Wenzel
T. J. Campbell	Houghton	Ransom	West
Christopher	Hussey	Reilly	Willis
Clark	Husted	Rich	Witbeck
Cleary	W. A. Johnson	Roscoe	Worth
Cole	Keenan	Russell	Wurts
Comstock	Kennaday	Sanford	Yost
Costigan	Kirk	Schuyler	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to repeal an act entitled 'An act to increase the rates of ferriage between the city of Hudson, in the county of Columbia, and the village of Athens, in the county of Greene,' passed May 15, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Lawrence	Shattuck
Barkley	Decker	Lewis	Sherwood
Beach	Edson	Lincoln	Shiel
Benedict	Farrar	McAfee	Smith
Bennett	Fay	McGowan	Speaker
Berry	Fream	McGroarty	Stacy
Bishop	Gallagher	Merwin	Stauf
Bordwell	Gedney	J. W. Miller	Stephens
Braman	Green	W. Miller	Struble
Broas	Griffin	Page	W. F. Taylor
Burtis	Hanrahan	Peck	Tewksbury
Calkins	Hauschel	Petty	Tremain
T. C. Campbell	Hepburn	Pierson	Vedder
T. J. Campbell	Hess	Ransom	Vosburgh
Christopher	Hinckley	Reilly	Waehner
Clark	Houghton	Rich	Wenzel
Cleary	Hussey	Roscoe	West
Cole	Husted	Sanford	Willis

Comstock	W. A. Johnson	Schuyler	Witbeck
Costigan	Kennaday	Scudder	Wurts
Daggett	Kshinka	Seward	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act further to amend chapter 305 of the Laws of 1844, entitled 'An act for the better security of mechanics and others erecting buildings and furnishing materials therefor, in the several cities in this State (except the city of New York), and in the villages of Syracuse, Williamsburgh, Geneva, Canandaigua, Oswego and Auburn,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

} AYES 85 }
} NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Scudder
Badger	Edson	Lawrence	Seward
Barkley	Farrar	Lewis	Shattuck
Benedict	Faulkner	Lincoln	Sherman
Bennett	Fay	Mackin	Sherwood
Berry	Fream	McAfee	Smith
Bishop	Gedney	McGroarty	Stacy
Bordwell	Green	Merwin	Stauf
Bowen	Hammond	W. Miller	Stephens
Braman	Hauschel	Muller	Struble
Broas	Hepburn	Oakley	W. F. Taylor
Burtis	Hess	Page	Tewksbury
Calkins	Hinckley	Peck	Tremain
T. C. Campbell	Holmes	Petty	Vedder
T. J. Campbell	Houghton	Pierson	Vosburgh
Clark	Hussey	Ransom	Waehner
Cleary	Husted	Reilly	Wenzel
Cole	W. A. Johnson	Rich	West
Comstock	Keenan	Roscoe	Willis
Costigan	Kennaday	Schieffelin	Wurts
Daggett	Kirk	Schuyler	Yost
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act making appropriations for certain expenses of government," being announced for a third reading.

Mr. T. J. Campbell moved that said bill be recommitted to the committee on ways and means, with instructions to amend by inserting between lines 257 and 258, page 10, the following:

"For the New York Catholic Protectory, incorporated in the year 1868, by the name of the Society for the Protection of Destitute Catholic Children in the city of New York, for the completion, erection and rebuilding of a building for the care and custody of female children

committed to such institution, to replace a building recently destroyed by fire, fifty thousand dollars."

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 48 }
{ NOES 50 }

Those who voted in the affirmative, were

Barkley	Dessar	Mackin	Schenok
Bennett	Faulkner	McGowan	Schuyler
Berry	Fream	McGroarty	Shiel
Broas	Gallagher	J. W. Miller	Slingerland
Brogan	Griffin	Muller	Smith
T. C. Campbell	Hanrahan	Oakley	Stauf
T. J. Campbell	Hauschel	O'Keefe	Stephens
Christopher	Keenan	Petty	G. Taylor
Cleary	Kirk	Pierson	Vosburgh
Cole	Kshinka	Ransom	Waehner
Costigan	Lawrence	Reilly	Worth
Daly	Lewis	Rich	Wurts

Those who voted in the negative, were

Alvord	Daggett	Husted	Scudder
Badger	Decker	W. A. Johnson	Seward
Barrow	Farrar	Lincoln	Shattuck
Benedict	Fay	McAfee	Sherman
Bishop	Gedney	Merwin	Stacy
Bordwell	Green	W. Miller	W. F. Taylor
Bowen	Hammond	Page	Tewksbury
Braman	Hepburn	Peck	Tremain
Burtis	Hess	Roscoe	Vedder
Calkins	Hinckley	Russell	West
Clark	Holmes	Sanford	Willis
Comstock	Houghton	Schieffelin	Witbeck
Cooke	Hussey		

Mr. Alvord moved to recommit said bill to the committee on ways and means with instructions to strike out on page 16, engrossed bill, lines 4, 5 and 6, the words "for the Inebriate Asylum at Binghamton, for the completion of the building, \$40,000."

Debate was had thereon, when

Mr. Sherwood moved to amend by striking out from line 132 down to line 146 of printed bill, also from line 187 down to line 207 of printed bill.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sherwood, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

{ AYES 48 }
{ NOES 43 }

Those who voted in the affirmative, were

Alvord	Daly	Keenan	Schieffelin
Badger	Decker	Kirk	Shattuck
Barkley	Dessar	Kshinka	Sherman
Bennett	Farrar	Lewis	Shiel
Braman	Faulkner	McGowan	Smith
Brogan	Gedney	Merwin	Speaker
T. C. Campbell	Green	Muller	Stauf
T. J. Campbell	Hammond	Oakley	G. Taylor
Christopher	Hanrahan	Ransom	W. F. Taylor
Comstock	Hauschel	Reilly	Vosburgh
Cooke	Hess	Roscoe	Waehner
Costigan	Hussey	Schenck	Yost

Those who voted in the negative, were

Barrow	Gallagher	J. W. Miller	Stacy
Benedict	Griffin	W. Miller	Stephens
Bishop	Hepburn	O'Keefe	Struble
Bordwell	Hinckley	Page	Tewksbury
Broas	Houghton	Petty	Tremain
Burtis	Husted	Pierson	Vedder
Calkins	W. A. Johnson	Russell	Willis
Clark	Lawrence	Sanford	Witbeck
Davis	Lincoln	Schuyler	Worth
Fay	Mackin	Seward	Wurts
Fream	McAfee	Sherwood	

Mr. Hammond, from the committee on ways and means, reported back said bill as instructed by the House.

On motion of Mr. Hammond, and by unanimous consent, said bill was amended as follows:

Page 4, line 8, engrossed bill, strike out "a" and insert "the." Lines 8, 4, 5 and 6, same page, strike out the words "consisting of six persons, to be appointed by the Governor, by and with the advice and consent of the Senate; such commissioners to take the place of those."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, two-thirds of all the members elected to the Assembly not voting in favor thereof.

{ AYES 83 }
{ NOES 17 }

Those who voted in the affirmative, were

Alvord	Edson	Lewis	Sherman
Badger	Ely	Lincoln	Sherwood
Barkley	Farrar	Mackin	Shiel
Barrow	Faulkner	McAfee	Slingerland
Beach	Fay	McGowan	Speaker
Benedict	Fream	McGroarty	Stacy

Bishop	Gallagher	Merwin	Stephens
Bordwell	Gedney	W. Miller	Struble
Braman	Green	Oakley	G. Taylor
Broas	Griffin	Page	W. F. Taylor
Burtis	Hammond	Petty	Tewksbury
Calkins	Hepburn	Pierson	Tremain
T. C. Campbell	Hess	Rich	Vedder
Christopher	Hinckley	Roscoe	Vosburgh
Clark	Houghton	Russell	Waehner
Cole	Hussey	Sanford	Willis
Comstock	Husted	Schieffelin	Witbeck
Cooke	W. A. Johnson	Schuyler	Worth
Daly	Kennaday	Scudder	Wurts
Decker	Kshinka	Seward	Yost
Dessar	Lawrence	Shattuck	

Those who voted in the negative, were

Bennett	Hanrahan	J. W. Miller	Reilly
Brogan	Hauschel	Muller	Schenck
T. J. Campbell	Keenan	O'Keefe	Smith
Cleary	Kirk	Ransom	Stauf
Costigan			

Pending the call of the roll,

Mr. Waehner moved a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Alvord moved to reconsider the vote by which said bill was lost, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker presented a communication from the Auditor, containing a report and resolution adopted by the Canal Board; which were read and referred to the committee on canals.

Leave of absence was granted to Messrs. Fream and Friend until Wednesday, and to Mr. Law indefinitely.

A communication was received from his Excellency the Governor transmitting a memorial of the New York Historical Society; which was laid on the table and ordered printed.

(See Doc No. 117.)

Mr. Dessar presented a petition of the Chamber of Commerce of the State of New York, relative to throwing ashes, etc., into the harbor of New York, which was read and referred to the committee on commerce and navigation.

Also, a petition of the Chamber of Commerce of the State of New York, in regard to the reduction of canal tolls; which was read and referred to the committee on canals.

Mr. Bennett moved that the House adjourn until Monday evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 61 }
{ NOES 39 }

Those who voted in the affirmative, were

Badger	Decker	Kirk	Reilly
Barkley	Dessar	Lawrence	Rich
Bennett	Edson	Lewis	Roscoe
Bishop	Farrar	Lincoln	Seward
Bordwell	Fream	Mackin	Sherman
Braman	Gallagher	McAfee	Shiel
Broas	Green	McGroarty	Smith
Brogan	Hauschel	J. W. Miller	Stauf
Calkins	Hepburn	W. Miller	Stephens
T. C. Campbell	Hinckley	Muller	G. Taylor
T. J. Campbell	Houghton	O'Keefe	Tremain
Christopher	Hussey	Page	Vosburgh
Cleary	W. A. Johnson	Petty	Willis
Cole	Keenan	Pierson	Witbeck
Comstock	Kennaday	Ransom	Worth
Daly			

Those who voted in the negative, were

Alvord	Faulkner	Merwin	Speaker
Barrow	Fay	Russell	Struble
Beach	Gedney	Sanford	W. F. Taylor
Benedict	Griffin	Schenck	Tewksbury
Clark	Hammond	Schieffelin	Vedder
Cooke	Hess	Scudder	Wachner
Costigan	Husted	Slingerland	Wurts
Ely	Kshinka		

Thereupon, at 1 o'clock and 50 minutes, the House adjourned.

MONDAY, APRIL 5, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Reynolds.

The journal of Friday, the 2d inst., was read and approved.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act to regulate proceedings against corporations by injunctions and otherwise,' passed April 7, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon," which was read the first time, and by unanimous consent was also read the second time.

Mr. Braman moved that said bill be substituted for the Assembly bill of the same title.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act in relation to the purchase by the United States of certain lands at West Point, and the ceding jurisdiction of this State over said lands to the United States," which was read the first time, and by unanimous consent was also read the second time.

Mr. Hammond moved that said bill be substituted for the Assembly bill of the same title.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

"An act to authorize the New York and Hudson Steamboat Company to mortgage its property," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to amend the act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof; and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend an act entitled 'An act to widen and improve a portion of Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush,' passed April 23, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to further amend an act entitled 'An act for the incorporation of companies formed to navigate the ocean by steamships or ships or vessels using caloric engines,' passed April 12, 1852," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

"An act to extend the operation and effect of the act passed February 17, 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Mr. Speaker announced the following committee on the part of the Assembly to investigate into the management of the canals, pursuant to concurrent resolution of the Senate and Assembly, viz.: Messrs. Faulkner, Sherman and Seward.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That the Regents of the University shall have the authority to distribute to the normal schools of the State such duplicate specimens of minerals and fossils from the State

museum of natural history as may not be required for the institutions already designated by the Legislature to receive such collections.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Speaker presented the annual report of the American Institute of the city of New York; which was laid on the table and ordered printed.

(*See Doc. No. 119.*)

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

By unanimous consent, on motion of Mr. Farrar, the present order of business, third reading of bills, was laid upon the table for the purpose of taking up the orders of business, reports of committees and general orders.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Husted, Int. No. 807, entitled "An act with reference to the survey and improvement of Harlem river and Spuyten Duyvil creek," reported adversely thereto.

Mr. Husted moved to disagree with the report of said committee, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Broas, Int. No. 745, entitled "An act in relation to the Hudson River State Hospital for the Insane, at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kennaday, Int. No. 467, entitled "An act to amend section 1, title 3, chapter 1 of part 2, of the Revised Statutes in relation to the law of dower," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kennaday, Int. No. 468, entitled "An act to repeal sections 34 and 35 of chapter 3 of part 2 of the Revised Statutes, entitled 'Of the proof and recording of conveyances of real estate and the cancellation of mortgages,'" reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kshinka, Int. No. 488, entitled "An act to amend sections 48 and 49 of article 2, title 3, chapter 6, part 2 of the Revised Statutes," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hepburn, Int. No. 626, entitled "An act to repeal section 97, chapter 5, article 2, title 4, part 1 of the Revised Statutes, and also to amend section 26, chapter 11, article 1, title 3, part 1 of the Revised Statutes, relating to the elections of justices of the peace," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was

referred the bill introduced by Mr. Kshinka, Int. No. 558, entitled "An act to repeal section 153 of article 6 of title 2, chapter 1, part 3 of the Revised Statutes, relating to suits at law in foreclosure cases," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lincoln, Int. No. 686, entitled "An act to provide for the governing of corporations by the stockholders," reported adversely thereto.

Mr. Lincoln moved to disagree with the report of said committee, and that said bill be committed to the committee of the whole.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was rejected.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Struble, Int. No. 857, entitled "An act to enlarge the jail limits of the county of Yates," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Schuyler, Int. No. 334, entitled "An act to amend an act entitled 'An act to incorporate the Ithaca Mechanics' Society,' passed April 13, 1835," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend chapter 79 of the Laws of 1835, entitled 'An act to incorporate the Ithaca Mechanics' Society,' which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 422, entitled "An act to provide for the election of the justices of the district courts in the city of New York," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wellington, Int. No. 203, entitled "An act to amend section 109 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hammond, Int. No. 774, entitled "An act further to amend chapter 833 of the Laws of 1873, entitled 'An act to regulate the fees of coroners,' " reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Holmes, Int. No. 504, entitled "An act to authorize the railroad commissioners of the town of Afton to pay over certain moneys in their hands to the supervisor of the town for the benefit of said town," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Waehner, Int. No. 498, entitled "An act relating to armories in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to reduce the rates of ferriage on certain ferry routes between the city of New York and the seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries."

"An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called, to the east line thereof."

Senate, "An act to amend an act entitled 'An act to authorize the formation of gas-light companies,' passed February 16, 1848."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Whitmore, from said committee, reported in favor of the passage of said first and second mentioned bills, the first mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Whitmore, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 37 of the Laws of 1848," and by striking out all after the word "companies;" which report was agreed to, and said bill ordered to a third reading.

Mr. T. C. Campbell moved that the bill entitled "An act to regulate the use of slips, wharves and piers in the city of New York," be referred to the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Peck offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of the Senate bill entitled "An act to change the name of the Black River Insurance Company of Watertown, New York," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet, in the town of Summer Hill, in the county of Cayuga."

"An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act in relation to district attorneys."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Roscoe, from said committee, reported in favor of the passage of said first and second mentioned bills, the second mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Roscoe, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 232 of the Laws of 1854, entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers.'"

"An act to authorize the village of Glens Falls to borrow money, and issue bonds for the purpose of increasing its supply of water and extending its water-works."

"An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburgh,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Pierson, from said committee, reported in favor of the passage of said first and second mentioned bills, the first mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Pierson, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

A message from the Senate was received and read, requesting the return of Assembly bill No. 34, entitled "An act for the better enforcement of certain penal laws," for reconsideration.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

Mr. Schenck moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the charter of the village of Canajoharie, and to revise and consolidate the several acts relating thereto, and that the same be recommitted to the committee on affairs of villages, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Stauff offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill No. 848, entitled "An act to condense and amend the several acts entitled or relating to an act in relation to the sale of bottles used by the manufacturers of mineral waters and others, passed May 7, 1847," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the Regents of the University to institute certain examinations, and in regard to conferring degrees."

"An act to change the corporate name of the Western New York Poultry Society."

"An act to amend chapter 134 of an act entitled 'An act in relation to weights and measures,' passed April 11, 1851."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Tewksbury, from said committee, reported progress on said first and second mentioned bills, and asked and obtained leave to sit again.

Mr. Tewksbury, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "of the laws of 1851," and by striking out all after the word "measures;" which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Hammond offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Senate and Assembly will adjourn *sine die* on Friday, 28d inst., at 12 o'clock noon.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

Mr. Kirk moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act for the regulation and sale of oysters in the city of New York, and the better protection of the retail dealers of the same," and that the same be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent, Mr. Hess introduced a bill entitled "An act to determine and fix the title to the landed property of the State, and to abbreviate and simplify title papers and the mode of recording the same, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Speaker introduced a bill entitled "An act to amend chapter 548 of the Laws of 1869, entitled 'An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Gallagher introduced a bill entitled "An act to amend chapter 53 of the Laws of 1854, entitled 'An act to amend an act entitled An act in relation to railroad corporations,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

By unanimous consent, Mr. Lillybridge introduced a bill entitled "An act directing inquiries to be made and reported to the next Legislature,

upon the subject of timber supplies and the most effectual means for the maintenance thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

On motion of Mr. Clark, at 9 o'clock and 50 minutes, the House adjourned.

TUESDAY, APRIL 6, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. Morse.

The reading of the journal of yesterday was dispensed with.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act further to amend chapter 275 of the Laws of 1872, entitled 'An act to authorize the trustees of the village of Flushing to issue bonds and raise money for the purchase of a steam fire engine, and for the mapping and establishment of lines and grades for the streets and public places in said village.'"

"An act to repeal chapter 645 of the Laws of 1873, entitled 'An act to alter the map or plan of the city of New York by extending Desbrosses street.'"

"An act in relation to railroad corporations."

"An act to confirm the official acts of the trustees of the Delaware Literary Institute."

"An act to legalize and confirm the official acts of Robert Payne, as notary public."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein,' and also an act amendatory thereof, known as chapter 867 of the Laws of 1867," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Oakley, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to confer additional powers on the common council of the city of Cohoes," which was read the first time, and by unanimous consent

was also read the second time, and referred to the committee on affairs of cities.

"An act to provide for the election of county judge to fill vacancy occasioned by disability of age," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act relative to the incorporation of musical colleges, schools and academies," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Leave of absence was granted to Mr. Krack until to-morrow morning.

The privileges of the floor were granted to Hon. Horatio N. Twombly and Austin Leake.

The Senate returned the bill entitled "An act providing for the forfeiture of property in certain cases," with a message informing that they had passed the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

"SECTION 1. Any officer authorized by law to make arrests may lawfully take possession of any animals, or implements, or other property used or employed, or about to be used or employed, in the violation of any provision of law relating to fights among animals. He shall state to the person in charge thereof, at the time of such taking, his name and residence, and also the time and place at which the application hereinafter provided for will be made.

"§ 2. The officer, after taking possession of such animals or implements, or other property, pursuant to the preceding section, shall apply to the magistrate before whom complaint is made against the offender violating such provision of law, for the order next hereinafter mentioned, and shall make and file an affidavit with such magistrate, stating therein the name of the offender charged in such complaint, the time, place and description of the animals, implements or other property so taken, together with the name of the party who claims the same, if known; and that the affiant has reason to believe and does believe that the same were used or employed, or were about to be used or employed, in such violation, and the grounds of such belief, and will establish the truth thereof upon the trial of such offender. He shall then deliver such animals, implements or other property to such magistrate, who shall thereupon, by order in writing, place the same in the custody of an officer, or other proper person in such order named and designated, to be by him kept until the trial or final discharge of the offender, and shall send a copy of such order, without delay, to the district attorney of the county. The officer or person so named and designated in such order, shall immediately thereupon assume such custody, and shall retain the same for the purpose of evidence upon such trial, subject to the order of the court before which such offender may be required to appear, until his final discharge or conviction. Upon the conviction of such offender, the animals, implements or other property shall be judged by the court to be forfeited. In the event of the acquittal or final discharge without con-

viction, of such offender, such court shall, on demand, direct the deliver of the property so held in custody to the owner thereof.

"§ 3. This act shall take effect immediately."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lawrence	Scudder
Badger	Fay	Lawson	Shattuck
Barrow	Fish	Lillybridge	Sherman
Beach	Gallagher	Lincoln	Sherwood
Beardsley	Gedney	Mackin	Shiel
Berry	Green	J. W. Miller	Silverman
Bishop	Griffin	W. Miller	Slingerland
Bordwell	Hammond	Oakley	Speaker
Bowen	Hanrahan	O'Keefe	Stacy
Burtis	Hauschel	Page	G. Taylor
Calkins	Hess	Peck	W. F. Taylor
T. C. Campbell	Hinckley	Petty	Tewksbury
Christopher	Hogan	Pierson	Vosburgh
Clark	Holmes	Pope	Waehner
Comstock	Houghton	Ransom	Wellington
Cooke	Hussey	Roscoe	Wenzel
Costigan	Husted	Russell	Whitmore
Daggett	Ives	Sanford	Willis
Daly	W. A. Johnson	Schieffelin	Wurts
Decker	Kshinka	Schuyler	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

By unanimous consent, Mr. Waehner introduced a bill entitled "An act relative to judgments entered upon forfeited recognizances in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Speaker presented a memorial of the board of common council relative to Tompkins square; which was read and referred to the committee on affairs of cities.

By unanimous consent, Mr. Vedder introduced a bill entitled "An act to amend chapter 20 of article 1, title 19 of part 1 of the Revised Statutes, concerning brokers," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Sherwood introduced a bill entitled "An act to authorize the common council of the city of Binghamton to raise and borrow money to be used by commissioners for the purpose of pur-

chasing land and erecting a city hall building and a lock-up thereon and furnish the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Schieffelin presented a remonstrance against the repeal of the charter of the village of Port Chester, in Westchester county; which was read and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Hammond, from the committee on ways and means, reported the bill entitled "An act authorizing the appointment of centennial commissioners," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Sherman moved to lay the present order of business, third reading of bills, on the table, for the purpose of taking up the order of business, general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Edson moved to discharge the committee of the whole from the further consideration of the bill entitled "An act to amend section 1, section 4 and section 21 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858," and that the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to conform the charters of all savings banks, or institutions of savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs."

"An act to authorize overseers of highways in the several road districts of this State, to cause the removal of fences along public highways for the purpose of preventing the drifting of snow into such highways."

"An act to amend and supplementary to an act entitled 'An act to incorporate the Mutual Trust Institution of New York,' passed April 24, 1874."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported that upon the division of a question upon a bill under consideration in said committee no quorum voted.

Mr. Speaker ordered a call of the roll, and the following members answered to their names:

Alvord	Fay	Lillybridge	Sherman
Badger	Fish	McGowan	Sherwood
Barkley	Gallagher	McGroarty	Shiel
Beach	Gedney	Merwin	Silverman
Beardsley	Green	J. W. Miller	Slingerland
Benedict	Griffin	W. Miller	Smith

Bishop	Hauschel	Oakley	Speaker
Bordwell	Hess	O'Keefe	Stacy
Braman	Hinckley	Page	Struble
Brown	Hogan	Peck	Talmage
Calkins	Holmes	Petty	G. Taylor
T. C. Campbell	Houghton	Pierson	Tewksbury
Christopher	Hussey	Pope	Vedder
Clark	Husted	Prince	Vosburgh
Coffey	Ives	Ransom	Waehner
Cole	W. Johnson	Reilly	Wellington
Comstock	W. A. Johnson	Rich	Wenzel
Cooke	Keenan	Roscoe	West
Daggett	Kennaday	Russell	Whitmore
Davis	Kirk	Schenck	Willis
Decker	Kshinka	Schieffelin	Witbeck
Dessar	Law	Schuyler	Worth
Edson	Lawrence	Scudder	Wurts
Ely	Lawson	Seward	Yost
Faulkner	Lewis	Shattuck	

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The House again resolved itself into a committee of the whole on said bills.

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Sherman, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Sherman, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. Sherman, from said committee, also reported in favor of the passage of said third mentioned bill, with amendments, and the title amended by striking out the words "an act," second occurring, and inserting in lieu thereof the words "chapter 862 of the Laws of 1872," and by striking out all after the words "New York;" which report was agreed to, and said bill ordered engrossed and to a third reading.

By unanimous consent, Mr. Decker introduced a bill entitled "An act to alter the boundary line between the towns of Davenport and Meredith, in the county of Delaware," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on civil divisions.

A message from the Senate was received and read, requesting the return of Assembly bill No. 180, entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

Mr. Speaker put the question whether the House would grant said request, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the bill entitled as follows:

"An act providing for the forfeiture of property in certain cases."

Ordered, That the Clerk deliver said bill to the Governor.

On motion of Mr. T. C. Campbell, at 2 o'clock and 10 minutes, the House took a recess until 7½ o'clock this evening.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows :

"An act to amend section 46 of title 10 of an act entitled 'An act to revise the charter of the city of Buffalo,' passed April 28, 1870, relative to the jurisdiction of ward justices of the peace."

"An act to authorize the commissioner or commissioners of highways of the town of Starkey, in the county of Yates, to change and alter the course and channel of a stream of water known as 'Big Stream,' where the same passes through the village of Dundee, in said town."

"An act supplementary to chapter 40 of the Laws of 1872, entitled 'An act to provide for supplying the village of Flushing, Queens county, with pure and wholesome water.'"

"An act to amend an act entitled 'An act to provide for supplying the village of Peekskill with water, and authorizing the issue of bonds therefor, and to create a board of water commissioners,' passed April 16, 1872."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend part 3, chapter 9, title 1, article 2 of the Revised Statutes, relating to the writ of habeas corpus," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to authorize and direct the mayor, aldermen and commonalty of the city of New York to pay to the county of Westchester claims and demands due said county of Westchester from said city and county of New York, growing out of the annexation to said city and county of New York of the late towns of Morrisania, West Farms and Kingsbridge," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act relating to the term of office of clerk of the commission of appeals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act for the preservation of fish in Chautauqua lake," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed April 20, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to legalize the acts of Ensworth D. Babcock, as notary public," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to release the title and interest of the people of the State of New York in and to certain real estate of which Henry Doyle, late of the city of Auburn, in the State of New York died seized, to Bridget Doyle, his wife," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petition of aliens.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution, in the words following:

Whereas, In the year 1833 the States of New York and New Jersey appointed a joint commission to define the boundary line between said States and their jurisdiction respectively over the waters of New York harbor; and

Whereas, Encroachments are being constantly made upon said harbor, on both sides of the Hudson river, by citizens of both States; therefore,

Resolved (if the Assembly concur), That the acting commissioners appointed by the Governor to discharge the duty imposed by section 7 of chapter 613 of the Laws of 1865 be authorized to meet the like number of commissioners to be appointed by the Governor of New Jersey, and with them, as soon as may be, to ascertain where the exterior lines for said harbor lying between said States are located, and whether any and what encroachments have been made upon such harbor; such commissioners to be authorized to employ such persons as may be necessary to assist them in the performance of the aforesaid service, and to be required to report their proceedings and the expenses (not exceeding the sum of \$5,000) thereof to the Legislature of this State at its next annual meeting, and in case of death or resignation of said commissioners on the part of this State or either of them, the Governor of this State is hereby empowered to fill the vacancy or vacancies so occurring. But the commissioners appointed under this resolution shall receive no pay and incur no expense until commissioners for a similar purpose are appointed on the part of the State of New Jersey.

Resolved (if the Assembly concur), That the Governor of this State be requested to transmit a duly certified copy of the foregoing resolution to the Governor of the State of New Jersey, to be laid before the Legislature of that State.

Said resolution being concurrent,

Ordered, That the same be laid upon the table.

By unanimous consent, Mr. J. W. Miller introduced a bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Husted moved that the committee on affairs of cities be discharged from the further consideration of said bill, and that the same be committed to the committee of the whole, and on that motion moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, and it was determined in the affirmative.

{ AYES 68 }
{ NOES 43 }

Those who voted in the affirmative, were

Alvord	Fay	Lillybridge	Shattuck
Barrow	Fish	Lincoln	Sherwood
Berry	Fream	Mackin	Slingerland
Bishop	Friend	McAfee	Stacy
Bordwell	Gallagher	J. W. Miller	Struble
Bowen	Green	W. Miller	W. F. Taylor
Braman	Hanrahan	Peck	Tewksbury
Broas	Hepburn	Petty	Tremain
Brown	Hess	Pierson	Vedder
Calkins	Hinckley	Pope	Wellington
Clark	Holmes	Prince	West
Cole	Houghton	Ransom	Whitmore
Comstock	Husted	Rich	Willis
Cooke	W. A. Johnson	Russell	Witbeck
Daggett	Law	Sanford	Worth
Decker	Lawrence	Scudder	Wurts
Farrar	Lawson	Seward	Yost

Those who voted in the negative, were

Beach	Dessar	McGowan	Shiel
Benedict	Edson	McGroarty	Silverman
Bennett	Griffin	Merwin	Smith
Brogan	Hammond	Oakley	Speaker
T. C. Campbell	Hauschel	O'Keefe	Stauf
T. J. Campbell	Hogan	Page	Talmage
Christopher	Ives	Reilly	G. Taylor
Coffey	Keenan	Roscoe	Vosburgh
Costigan	Kennaday	Schieffelin	Waehner
Daly	Kirk	Schuyler	Wenzel
Davis	Kshinka	Sherman	

By unanimous consent, Mr. Benedict introduced a bill entitled "An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870, in reference to acquiring title to real estate for burial purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Speaker announced the special order, being the consideration of the bill entitled as follows:

"An act in relation to the canals."

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein Mr. Speaker resumed the chair, and Mr. T. C. Campbell, from said committee, reported progress on the same, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Davis, said bill was recommitted to the committee on canals, retaining its place on general orders.

Mr. Daly moved that the bill entitled "An act creating the office of inspector of public works and providing for his appointment and compensation," be made a special order for Thursday evening next.

Mr. Waehner moved to amend by making said bill a special order for Tuesday evening next.

Mr. Prince moved to further amend by making said bill a special order for Thursday morning next, immediately after reading the journal.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion of Mr. Prince, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Waehner, as amended, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Daly, as amended, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Kennaday moved that the bill entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company and the completion and management of the said bridge by the said cities," be considered in the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the incorporation of societies for the prevention of cruelty to children."

"An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof."

"An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Lewis, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Lewis, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Alvord moved to recommit said bill to the committee on affairs of cities, with power to report at any time, and that the same retain its place on the calendar of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Lewis, from said committee, also reported in favor of the passage of said third mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. McGowan moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to facilitate the closing up of insolvent and dissolved insurance companies," and that the same be recommitted to the committee on insurance, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts."

"An act to provide for a correct interpretation of the statutes of this State having reference to intoxicating liquors."

"An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section three of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt street and Erie Basin Railroad Company.'"

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Merwin, from said committee, reported in favor of the passage of said bills ; which report was agreed to, and said bills ordered engrossed and to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows :

"An act to prevent the mutilation of shade trees.

Senate, "An act to regulate the sale of baled hay and straw in the State of New York."

Senate, "An act to amend an act entitled 'An act to regulate the size of apple, pear and potato barrels,' passed May 12, 1862."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Green, from said committee, reported in favor of the passage of said first mentioned bill ; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Green, from said committee, also reported in favor of the passage of said second mentioned bill, with amendments ; which report was agreed to, and said bill ordered to a third reading.

Mr. Green, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

On motion of Mr. Husted, at 9 o'clock and 30 minutes, the House adjourned.

WEDNESDAY, APRIL 7, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. McDonald.

The reading of the journal of yesterday was dispensed with.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows :

"An act to confirm the proceedings of the board of supervisors of the county of New York in the authorization of the appointment of assistant keepers at the county jail in said county, and for the relief of the persons so appointed."

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows :

"An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester.'"

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 3, line 15, engrossed bill, after the word "bond," insert the words "with sufficient sureties." Same section, at the end of line 17, add the words "to be appointed by said commissioners."

Section 8, line 4, after the words "per cent," insert the words "of the assessed value of the real and personal estate."

Section 21, line 16, after the word "voters," insert the words "and of the tax payers whose names appear upon the last assessment roll of the village."

Section 22, line 35, after the word "appraisement," insert the following: "shall, in making their appraisement, take into account the cost and prospective value of the work, rights, privileges and properties, but not beyond actual cost, and they."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Krack	Reilly
Badger	Daly	Kshinka	Russell
Barrow	Decker	Law	Schieffelin
Beach	Edson	Lawrence	Scudder
Beardsley	Farrar	Lawson	Seward
Benedict	Faulkner	Lewis	Sherwood
Bennett	Fish	Lillybridge	Shiel
Berry	Fream	Lincoln	Silverman
Bishop	Friend	Mackin	Smith
Bordwell	Gallagher	McAfee	Speaker
Bowen	Gedney	McGowan	Stephens
Braman	Green	McGroarty	Vosburgh
Broas	Griffin	Merwin	Waehner
Brown	Hanrahan	Muller	Wellington
Burtis	Hauschel	O'Keefe	Wenzel
Calkins	Hepburn	Peck	Whitmore
T. C. Campbell	Hinckley	Petty	Willis
Clark	Holmes	Pierson	Witbeck
Coffey	Husted	Pope	Worth
Cole	W. A. Johnson	Prince	Wurts
Comstock	Kennaday	Ransom	Yost
Cooke			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,'"

passed April 30, 1873," with a message informing that they had passed the same, with the following amendments:

Section 1, line 8, after the word "chamberlain" insert the word "and the comptroller of the city of New York shall by concurrent vote."

Line 21, after the word "chamberlain," first occurring, insert the words "and the said comptroller of the city of New York by a concurrent vote, which rate shall not be less than three per cent."

The amendments having been read,

Mr. Daly moved to non-concur in the same, and that a committee of conference be appointed thereon, and a like committee requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 64 }
{ NOES 55 }

Those who voted in the affirmative, were

Beach	Edson	Krack	Roscoe
Beardsley	Ely	Kshinka	Schenck
Benedict	Faulkner	Lewis	Schieffelin
Bennett	Fish	Mackin	Shiel
Berry	Friend	McGowan	Silverman
Brogan	Griffin	McGroarty	Smith
T. C. Campbell	Hammond	Merwin	Speaker
T. J. Campbell	Hanrahan	J. W. Milier	Stauf
Christopher	Hauschel	Muller	Stephens
Cleary	Hogan	Oakley	Talmage
Coffey	Holmes	O'Keefe	G. Taylor
Cole	Ives	Page	Vosburgh
Cooke	W. Johnson	Pierson	Waehner
Costigan	Keenan	Ransom	Wenzel
Daly	Kennaday	Reilly	Witbeck
Dessar	Kirk	Rich	Wurts

Those who voted in the negative, were

Alvord	Fay	Lawrence	Sherwood
Badger	Fream	Lawson	Slingerland
Barrow	Gallagher	Lillybridge	Stacy
Bishop	Gedney	Lincoln	Struble
Bordwell	Green	McAfee	W. F. Taylor
Bowen	Hepburn	W. Miller	Tewksbury
Braman	Hess	Peck	Tremain
Burtis	Hinckley	Petty	Wellington
Calkins	Houghton	Pope	West
Clark	Hussey	Prince	Whitmore
Comstock	Husted	Russell	Willis
Daggett	W. A. Johnson	Sanford	Worth
Decker	Law	Seward	Yost
Farrar			

Mr. Speaker appointed as such committee Messrs. Daly, Waehner, Reilly, Husted and Seward.

Ordered, That the Clerk return said bill to the Senate, with a message informing of non-concurrence in their amendments, and request a committee of conference thereon.

Mr. Lincoln moved to take from the table the report of the committee of conference on the bill entitled "An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.'"

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 6 }

Those who voted in the affirmative, were

Alvord	Edson	Kennaday	Schenck
Barrow	Farrar	Kirk	Schieffelin
Beach	Fay	Krack	Seward
Beardsley	Fish	Kshinka	Shattuck
Benedict	Fream	Law	Sbiel
Bishop	Friend	Lawrence	Slingerland
Bordwell	Gallagher	Lawson	Smith
Braman	Gedney	Lillybridge	Speaker
Brogan	Green	Lincoln	Stauf
Calkins	Griffin	Mackin	Stephens
T. C. Campbell	Hammond	McAfee	Struble
T. J. Campbell	Hanrahan	McGowan	Talmage
Christopher	Hauschel	McGroarty	G. Taylor
Clark	Hess	J. W. Miller	W. F. Taylor
Cleary	Hinckley	Muller	Tremain
Coffey	Hogan	O'Keefe	Vosburgh
Cole	Holmes	Page	Waehner
Comstock	Houghton	Peck	Wenzel
Cooke	Hussey	Petty	West
Daggett	Husted	Ransom	Witbeck
Davis	Ives	Reilly	Worth
Decker	W. Johnson	Rich	Wurts
Dessar	Keenan	Russell	

Those who voted in the negative, were

Bowen	Sherwood	Whitmore	Willis
Sanford	Tewksbury		

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

By unanimous consent, Mr. Worth introduced a bill entitled "An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,' passed February 18, 1871," which was read the first time, and

by unanimous consent was also read the second time and referred to the committee on affairs of cities.

The bill entitled "An act for the incorporation of societies for the prevention of cruelty to children," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 21 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Sanford
Badger	Edson	Kshinka	Schenck
Beach	Farrar	Law	Schieffelin
Beardsley	Fay	Lawson	Scudder
Benedict	Fream	Lillybridge	Seward
Bishop	Friend	Lincoln	Shattuck
Bordwell	Gedney	Mackin	Sherwood
Bowen	Green	McAfee	Slingerland
Brown	Griffin	Merwin	Speaker
Burtis	Hammond	J. W. Miller	Struble
Calkins	Hepburn	W. Miller	G. Taylor
T. C. Campbell	Hinckley	Muller	W. F. Taylor
Christopher	Holmes	Oakley	Tewksbury
Clark	Houghton	Peck	Tremain
Cleary	Hussey	Petty	Wellington
Comstock	Husted	Pope	West
Cooke	Ives	Prince	Whitmore
Daggett	W. A. Johnson	Roscoe	Willis
Daly	Kennaday	Russell	Yost
Davis			

Those who voted in the negative, were

Bennett	Hauschel	O'Keefe	Silverman
Brogan	Hogan	Ransom	Smith
T. J. Campbell	Keenan	Reilly	Stauf
Coffey	Kirk	Rich	Wenzel
Dessar	McGowan	Shiel	Witbeck
Hanrahan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hammond moved to take from the table the motion to reconsider the vote by which the bill entitled "An act making appropriations for certain expenses of government," was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, two-thirds of all members elected to the Assembly voting in favor thereof.

{ AYES 112 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Edson	Krack	Schieffelin
Badger	Ely	Kshinka	Scudder
Beach	Farrar	Law	Seward
Beardsley	Faulkner	Lawson	Shattuck
Benedict	Fay	Lewis	Sherwood
Bennett	Fish	Lillybridge	Shiel
Bishop	Fream	Lincoln	Silverman
Bordwell	Friend	Mackin	Slingerland
Bowen	Gallagher	McAfee	Smith
Braman	Gedney	McGowan	Speaker
Brogan	Green	McGroarty	Stacy
Brown	Griffin	Merwin	Stauf
Burtis	Hammond	J. W. Miller	Stephens
Calkins	Hanrahan	W. Miller	Struble
T. C. Campbell	Hauschel	Muller	Talmage
T. J. Campbell	Hepburn	Oakley	W. F. Taylor
Christopher	Hess	O'Keefe	Tewksbury
Clark	Hinckley	Page	Tremain
Cleary	Hogan	Peck	Vosburgh
Coffey	Holmes	Petty	Waehner
Cole	Houghton	Pierson	Wellington
Comstock	Hussey	Pope	Wenzel
Cooke	Husted	Ransom	West
Daggett	Ives	Rich	Whitmore
Daly	W. Johnson	Roscoe	Willis
Davis	W. A. Johnson	Russell	Witbeck
Decker	Keenan	Sanford	Wurts
Dessar	Kennaday	Schenck	Yost

For the negative,

Kirk

The privileges of the floor were extended to Hon. Benjamin Doolittle.

Mr. T. J. Campbell moved to recommit said bill to the committee on ways and means with instructions to amend as follows: Between lines 257 and 258, page 10, insert: "For the New York Catholic Protectory, for the erection, rebuilding and completion of a building for the care and custody of female children committed to such institution, to replace a building recently destroyed by fire, forty-five thousand dollars," and that said committee report the same back forthwith, said bill retaining its place on the calendar of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 41 }
{ NOES 71 }

Those who voted in the affirmative, were

Bennett	Daly	Kirk	Rich
Broas	Dessar	Kshinka	Schenck
Brogan	Faulkner	Lawrence	Shiel

Brown	Fream	McGowan	Silverman
T. C. Campbell	Gallagher	McGroarty	Smith
T. J. Campbell	Griffin	Muller	Stauf
Christopher	Hanrahan	Oakley	Stephens
Cleary	Hauschel	O'Keefe	Vosburgh
Coffey	Hogan	Ransom	Waehner
Cole	Keenan	Reilly	Wurts
Costigan			

Those who voted in the negative, were

Alvord	Edson	Krack	Scudder
Badger	Ely	Law	Seward
Barrow	Farrar	Lewis	Shattuck
Beardsley	Fay	Lillybridge	Sherwood
Benedict	Fish	Lincoln	Slingerland
Berry	Friend	McAfee	Stacy
Bishop	Gedney	Merwin	Struble
Bordwell	Green	W. Miller	W. F. Taylor
Bowen	Hammond	Page	Tewksbury
Braman	Hepburn	Peck	Tremain
Burtis	Hess	Petty	Vedder
Calkins	Hinckley	Pierson	Wellington
Clark	Holmes	Pope	West
Comstock	Houghton	Prince	Whitmore
Cooke	Hussey	Roscoe	Willis
Daggett	Husted	Russell	Witbeck
Davis	Ives	Sanford	Yost
Decker	W. A. Johnson	Schieffelin	

Mr. Sherwood moved to recommit said bill to the committee on ways and means (retaining its place on the calendar of third reading of bills) with instructions to strike out that portion relating to the Onondaga salt springs.

Mr. Waehner moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 98 }
{ NOES 10 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Sherwood
Badger	Dessar	Lawrence	Shiel
Barrow	Edson	Lewis	Slingerland
Beach	Ely	Lincoln	Speaker
Beardsley	Farrar	McAfee	Stacy
Benedict	Faulkner	McGowan	Stauf
Bennett	Fay	McGroarty	Stephens

Berry	Fish	Merwin	Struble
Bishop	Fream	W. Miller	Talmage
Bordwell	Gedney	Muller	G. Taylor
Bowen	Green	Page	W. F. Taylor
Braman	Griffin	Peck	Tewksbury
Broas	Hammond	Petty	Tremain
Brown	Hanrahan	Pierson	Vedder
Burtis	Hauschel	Pope	Vosburgh
Calkins	Hess	Prince	Waehner
T. C. Campbell	Hinckley	Ransom	Wellington
Christopher	Hogan	Rich	Wenzel
Clark	Holmes	Roscoe	West
Cleary	Houghton	Russell	Whitmore
Cole	Hussey	Schieffelin	Witbeck
Comstock	Husted	Scudder	Worth
Cooke	Ives	Seward	Wurts
Daggett	W. Johnson	Shattuck	Yost
Daly	W. A. Johnson		

For the negative,

Brogan	Costigan	Lillybridge	Schenck
T. J. Campbell	Keenan	Reilly	Smith
Coffey	Kirk		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to authorize the city of Utica to provide a building for fire department purposes, and borrow and disburse money to pay for the same."

"An act to unify the supervisory department of the educational system of the State of New York."

"An act to reduce rates of ferriage on certain ferry routes between the city of New York and the seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries."

"An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called, to the east line thereof."

"An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet, in the town of Summer Hill, in the county of Cayuga."

"An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to amend chapter 232 of the Laws of 1854, entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers.'"

"An act to authorize the village of Glens Falls to borrow money and issue bonds for the purpose of increasing its supply of water and extending its waterworks."

"An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures.'"

"An act to amend section 1, section 4 and section 21 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858."

"An act to conform the charters of all savings banks or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs."

"An act to amend and supplementary to chapter 362 of the Laws of 1872, entitled 'An act to incorporate the Mutual Trust Institution of New York.'"

"An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess."

"An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts."

"An act to provide for a correct interpretation of the statutes of this State having reference to intoxicating liquors."

"An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt Street and Erie Basin Railroad Company.'"

"An act to prevent the mutilation of shade trees."

The Senate bill entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein,' and also an act amendatory thereof, known as chapter 867 of the Laws of 1867," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 } .

Those who voted in the affirmative were,

Alvord	Dessar	Krack	Scudder
Badger	Edson	Kshinka	Shattuck
Barrow	Ely	Lawrence	Sherwood
Beach	Farrar	Lawson	Slingerland
Beardsley	Faulkner	Lincoln	Smith
Benedict	Gallagher	McAfee	Speaker
Bennett	Gedney	McGowan	Stauf
Berry	Green	McGroarty	Stephens
Bordwell	Griffin	J. W. Miller	Struble
Braman	Hanrahan	Muller	Talmage
Broas	Hauschel	Oakley	G. Taylor
Brown	Hepburn	O'Keefe	Tewksbury
Calkins	Hess	Petty	Tremain
T. C. Campbell	Hinckley	Pierson	Vedder
Christopher	Hogan	Pope	Vosburgh
Clark	Holmes	Prince	Wæhner
Coffey	Houghton	Ransom	Wellington

Comstock	Ives	Roscoe	Wenzel
Cooke	W. A. Johnson	Russell	West
Costigan	Keenan	Sanford	Witbeck
Daggett	Kennaday	Schenck	Wurts
Decker	Kirk	Schieffelin	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York, to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs-at-law of Edmund Cosby, deceased, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Keenan	Sanford
Badger	Daggett	Krack	Schieffelin
Beach	Daly	Kshinka	Scudder
Beardsley	Decker	Lawrence	Shattuck
Benedict	Dessar	Lawson	Sherwood
Bennett	Edson	Lillybridge	Slingerland
Berry	Ely	McAfee	Smith
Bishop	Farrar	McGowan	Speaker
Bordwell	Faulkner	McGroarty	Stauf
Bowen	Fay	Merwin	Struble
Broas	Gallagher	J. W. Miller	Talmage
Brogan	Griffin	Muller	G. Taylor
Brown	Hammond	Oakley	Tewksbury
Calkins	Hauschel	O'Keefe	Tremain
T. C. Campbell	Hess	Peck	Vedder
T. J. Campbell	Hogan	Petty	Waehner
Christopher	Holmes	Pierson	West
Clark	Houghton	Pope	Whitmore
Coffey	Hussey	Ransom	Willis
Cole	Husted	Reilly	Wurts
Comstock	Ives	Roscoe	Yost
Cooke	W. A. Johnson	Russell	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Lillybridge	Scudder
Badger	Dessar	Lincoln	Shattuck
Beach	Edson	McAfee	Sherwood
Beardsley	Farrar	McGowan	Slingerland
Benedict	Faulkner	McGroarty	Smith
Bennett	Gallagher	Merwin	Speaker
Berry	Green	Muller	Stacy
Bishop	Griffin	Oakley	Stephens
Bordwell	Hammond	O'Keefe	Struble
Bowen	Hauschel	Page	Talmage
Brogan	Hess	Peck	G. Taylor
Brown	Hogan	Petty	Tremain
Calkins	Houghton	Pierson	Vedder
T. C. Campbell	Hussey	Pope	Waehner
Christopher	Husted	Prince	Wellington
Clark	Ives	Ransom	West
Cleary	Keenan	Reilly	Whitmore
Coffey	Krack	Roscoe	Willis
Cooke	Law	Russell	Witbeck
Costigan	Lawrence	Sanford	Wurts
Daggett	Lawson	Schenck	Yost
Daly	Lewis	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Pierson, and by unanimous consent, the committee of the whole was discharged from the further consideration of the Senate bill entitled "An act to amend an act entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1851," and the same read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Lawrence	Scudder
Badger	Farrar	Lawson	Shattuck
Beach	Faulkner	Lewis	Shiel
Benedict	Fay	Lillybridge	Speaker
Berry	Gallagher	Lincoln	Stacy
Bishop	Gedney	Mackin	Stauf
Bordwell	Green	McGroarty	Stephens
Broas	Griffin	Merwin	Struble
Brown	Hammond	J. W. Miller	Talmage
Calkins	Hanrahan	Oakley	Tewksbury
T. C. Campbell	Hauschel	O'Keefe	Tremain

Christopher	Hess	Peck	Waehner
Clark	Hinckley	Petty	Wellington
Comstock	Hogan	Pierson	Wenzel
Cooke	Holmes	Pope	West
Costigan	Houghton	Reilly	Whitmore
Daggett	Hussey	Roscoe	Willis
Daly	Husted	Sanford	Witbeck
Decker	Kennaday	Schenck	Wurts
Dessar	Law	Schieffelin	Yost
Edson			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush, passed March 22, 1854, and April 29, 1863,' passed April 25, 1871," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Ives	Schieffelin
Badger	Dessar	Kennaday	Souder
Beach	Edson	Lawrence	Seward
Beardsley	Ely	Lawson	Shattuck
Benedict	Farrar	Lewis	Shiel
Berry	Faulkner	Lincoln	Slingerland
Bishop	Fay	Mackin	Smith
Bordwell	Gallagher	McAfee	Stacy
Braman	Gedney	McGroarty	Stauf
Broas	Green	Merwin	Stephens
Calkins	Griffin	J. W. Miller	Talmage
T. C. Campbell	Hammond	Oakley	Tremain
T. J. Campbell	Hanrahan	O'Keefe	Waehner
Christopher	Hauschel	Petty	Wenzel
Clark	Hess	Pierson	West
Cleary	Hinckley	Pope	Whitmore
Comstock	Hogan	Ransom	Willis
Cooke	Holmes	Reilly	Witbeck
Costigan	Houghton	Roscoe	Wurts
Daggett	Hussey	Russell	Yost
Daly	Husted	Sanford	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Keenan	Seward
Badger	Edson	Kennaday	Shattuck
Beach	Ely	Kshinka	Sherwood
Beardsley	Farrar	Lawson	Silverman
Benedict	Fay	Lewis	Slingerland
Berry	Gallagher	Lincoln	Smith
Bishop	Gedney	Mackin	Stacy
Bowen	Green	McGowan	Stauf
Braman	Griffin	McGroarty	Stephens
Brown	Hammond	Merwin	Tremain
Calkins	Hanrahan	J. W. Miller	Vedder
T. C. Campbell	Hauschel	Oakley	Waehner
T. J. Campbell	Hess	O'Keefe	Wellington
Christopher	Hinckley	Petty	Wenzel
Clark	Hogan	Pierson	West
Coffey	Holmes	Pope	Whitmore
Comstock	Houghton	Ransom	Willis
Cooke	Hussey	Sanford	Witbeck
Costigan	Husted	Schenck	Worth
Daggett	Ives	Schieffelin	Wurts
Daly	W. A. Johnson	Scudder	Yost
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 60 of the Laws of 1813, entitled 'An act to provide for the incorporation of religious societies,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Ives	Seward
Badger	Edson	W. A. Johnson	Sherwood
Beach	Ely	Law	Shiel
Berry	Farrar	Lawson	Silverman
Bishop	Faulkner	Lincoln	Smith
Bordwell	Gallagher	McGowan	Stauf
Bowen	Godney	McGroarty	Stephens
Braman	Green	W. Miller	Struble
Calkins	Griffin	Oakley	Vedder
T. C. Campbell	Hammond	Peck	Waehner
T. J. Campbell	Hanrahan	Petty	Wenzel

Christopher	Hauschel	Pierson	West
Clark	Hess	Pope	Whitmore
Coffey	Hinckley	Russell	Willis
Comstock	Hogan	Sanford	Witbeck
Costigan	Holmes	Schenck	Wurts
Daly	Hussey	Schieffelin	Yost
Decker	Husted	Soudder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the quality and price of illuminating gas, and to provide for the office of meter inspectors for the city of Brooklyn," being announced for a third reading,

Mr. Alvord moved to recommit said bill to the committee on affairs of cities, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 50 }
{ NOES 43 }

Those who voted in the affirmative, were

Beardsley	Ely	Lawson	Smith
Bennett	Fay	Lewis	Stauf
Berry	Fish	McGroarty	Stephens
Braman	Gallagher	J. W. Miller	Vosburgh
Broas	Green	Muller	Wenzel
Brogan	Griffin	Oakley	West
Brown	Hanrahan	Reilly	Whitmore
T. J. Campbell	Hauschel	Rich	Willis
Cleary	Ives	Schenck	Witbeck
Coffey	Keenan	Shattuck	Worth
Cole	Kirk	Sherwood	Wurts
Cooke	Krack	Silverman	Yost
Costigan	Kshinka		

Those who voted in the negative, were

Alvord	Daly	Holmes	Sanford
Badger	Decker	Houghton	Scheffelin
Benedict	Dessar	W. A. Johnson	Scudder
Bishop	Edson	Lincoln	Seward
Bordwell	Farrar	Mackin	Stacy
Bowen	Faulkner	McAfee	Struble
Calkins	Gedney	McGowan	Tewksbury
T C. Campbell	Hammond	Merwin	Tremain
Christopher	Hess	W. Miller	Vedder
Clark	Hinckley	Pope	Waehner
Comstock	Hogan	Russell	

Mr. Coffey moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to change the name of the Black River Insurance Company of Watertown, New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Sherwood
Badger	Edson	Kshinka	Shiel
Beach	Ely	Lawson	Silverman
Benedict	Farrar	Lewis	Slingerland
Bennett	Fay	Lincoln	Smith
Berry	Fish	Mackin	Speaker
Bishop	Fream	McGowan	Stauf
Bordwell	Gallagher	McGroarty	Stephens
Bowen	Green	Merwin	Struble
Braman	Griffin	W. Miller	Talmage
Broas	Hanrahan	Oakley	Tewksbury
Brown	Hauschel	Page	Tremain
Calkins	Hess	Peck	Vedder
T. J. Campbell	Hinckley	Petty	Vosburgh
Christopher	Hogan	Pierson	Waehner
Clark	Holmes	Pope	West
Coffey	Husted	Roscoe	Whitmore
Comstock	Ives	Sanford	Willis
Cooke	W. A. Johnson	Schenck	Witbeck
Daggett	Keenan	Schieffelin	Wurts
Daly	Kennaday	Sudder	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kirk	Schenck
Badger	Ely	Krack	Seward
Barkley	Faulkner	Kshinka	Shattuck

Beach	Fay	Lawson	Sherwood
Benedict	Fish	Lewis	Shiel
Berry	Fream	Lincoln	Silverman
Bishop	Gallagher	Mackin	Slingerland
Bordwell	Gedney	McAfee	Smith
Bowen	Green	McGowan	Speaker
Braman	Griffin	McGroarty	Stauf
Broas	Hanrahan	Merwin	Stephens
Brown	Hauschel	J. W. Miller	Struble
Calkins	Hess	W. Miller	Talmage
T. C. Campbell	Hinckley	Oakley	G. Taylor
Christopher	Hogan	Page	Tremain
Clark	Holmes	Peck	Vedder
Cleary	Houghton	Petty	Vosburgh
Coffey	Hussey	Pierson	West
Comstock	Husted	Pope	Whitmore
Cooke	Ives	Rich	Willis
Costigan	W. A. Johnson	Roscoe	Worth
Daly	Keenan	Russell	Wurts
Decker	Kennaday	Sanford	Yost
Dessar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 26 of the Laws of 1874, entitled 'An act authorizing the formation of corporations to secure camp grounds and other property connected therewith for the use of the Methodist Episcopal Church,' " being announced for a third reading,

Mr. Pope moved to recommit said bill to the committee on charitable and religious societies with instructions to make the following amendment, and report forthwith :

" Whenever any camp ground association shall own land bordering upon any of the navigable waters of the State of New York, the said association shall have authority to build and maintain wharves and piers, and regulate or prohibit the landing of any person or vessel on said wharves, piers or shore, and may also regulate or prohibit the use of said wharves, piers or shore by any person or vessel ; and the said association shall have full control of the entire water front of the lands owned by them, subject only to the public right of way on such navigable waters."

Mr. Alvord moved to amend said motion by adding the words " with the consent of the Land Commissioners."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Pope, as amended, and it was determined in the affirmative.

Mr. Kirk, from the committee on charitable and religious societies, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lincoln	Shiel
Badger	Ely	Mackin	Silverman
Barkley	Faulkner	McAfee	Slingerland
Barrow	Fish	McGowan	Smith
Beach	Fream	McGroarty	Speaker
Beardsley	Gallagher	Merwin	Stauf
Benedict	Gedney	J. W. Miller	Stephens
Berry	Green	W. Miller	Struble
Bishop	Griffin	Oakley	Talmage
Bordwell	Hauschel	O'Keefe	G. Taylor
Braman	Hinckley	Page	Tewksbury
Broas	Hogan	Peck	Tremain
Brown	Holmes	Petty	Vedder
Calkins	Houghton	Pierson	Vosburgh
T. C. Campbell	Hussey	Pope	Wellington
Clark	Ives	Reilly	Wenzel
Cleary	W. A. Johnson	Roscoe	West
Coffey	Keenan	Russell	Whitmore
Cooke	Kennaday	Sanford	Willis
Costigan	Kirk	Schieffelin	Witbeck
Daly	Krack	Scudder	Worth
Davis	Kshinka	Seward	Wurts
Decker	Law	Shattuck	Yost
Dessar	Lewis	Sherwood	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1, section 4 and section 21 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9, in the town of Pomfret, a union free school district,' passed March 17, 1858," being announced for a third reading,

By unanimous consent, on motion of Mr. Edson, said bill was amended as follows:

Section 1, line 1, engrossed bill, insert after the word "of" the words "chapter 34 of the Laws of 1858." Same line, strike out the words "an act."

Strike out in lines 4 and 5 the words "passed March 17, 1858."

Add at end of section 1 the following: "The said district, as herein enlarged and consolidated, shall, from and after the passage of this act, be under the direction, control and management of the present board of education of said district No. 1 of said town of Dunkirk."

Strike out section 3.

Change subsequent sections to correspond.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lewis	Slingerland
Badger	Ely	Lillybridge	Smith
Barkley	Faulkner	Lincoln	Speaker
Barrow	Fish	Mackin	Stauf
Beach	Fream	McGowan	Stephens
Beardsley	Gallagher	McGroarty	Struble
Benedict	Green	Merwin	Talmage
Berry	Griffin	Oakley	G. Taylor
Bishop	Hanrahan	Page	Tewksbury
Bowen	Hauschel	Peck	Tremain
Braman	Hinckley	Petty	Vedder
Broas	Hogan	Pope	Vosburgh
Calkins	Holmes	Reilly	Waehner
T. C. Campbell	Houghton	Roscoe	Wellington
Christopher	Hussey	Russell	Wenzel
Clark	Ives	Schenck	West
Comstock	W. Johnson	Schieffelin	Whitmore
Cooke	W. A. Johnson	Scudder	Willis
Costigan	Keenan	Seward	Witbeck
Daly	Kennaday	Shattuck	Worth
Davis	Krack	Sherwood	Wurts
Decker	Kshinka	Shiel	Yost
Dessar	Law		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kennaday	Seward
Badger	Decker	Krack	Shattuck
Barkley	Dessar	Kshinka	Sherwood
Barrow	Edson	Law	Shiel
Beach	Farrar	Lewis	Silverman
Beardsley	Faulkner	Lillybridge	Smith
Benedict	Fish	Lincoln	Stauf
Berry	Fream	McAfee	Stephens
Bordwell	Gallagher	McGroarty	Struble
Braman	Gedney	Merwin	Talmage
Brogan	Green	J. W. Miller	G. Taylor
Calkins	Griffin	Oakley	Tewksbury
T. C. Campbell	Hanrahan	Peck	Tremain

T. J. Campbell	Hauschel	Petty	Vedder
Christopher	Hess	Pierson	Vosburgh
Clark	Hinckley	Pope	Wellington
Coffey	Hogan	Reilly	West
Cole	Holmes	Roscoe	Whitmore
Comstock	Houghton	Russell	Willis
Cooke	Hussey	Sanford	Witbeck
Costigan	Ives	Schenck	Worth
Daggett	W. Johnson	Schieffelin	Wurts
Daly	W. A. Johnson	Scudder	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate, in the town of Avon, New York, to Margaret Curran," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Law	Shattuck
Badger	Ely	Lewis	Sherwood
Barkley	Faulkner	Lillybridge	Shiel
Beach	Fish	Lincoln	Silverman
Beardsley	Gallagher	Mackin	Speaker
Benedict	Gedney	McGowan	Stauf
Berry	Green	McGroarty	Stephens
Bishop	Hanrahan	Merwin	Struble
Bordwell	Hauschel	W. Miller	Talmage
Bowen	Hess	Oakley	G. Taylor
Braman	Hinckley	O'Keefe	Tewksbury
Brown	Hogan	Page	Tremain
Calkins	Holmes	Petty	Vedder
T. C. Campbell	Houghton	Pierson	Vosburgh
T. J. Campbell	Hussey	Pope	Waehner
Christopher	Ives	Reilly	Wellington
Clark	W. Johnson	Roscoe	Wenzel
Coffey	W. A. Johnson	Russell	Whitmore
Comstock	Keenan	Sanford	Willis
Cooke	Kennaday	Schenck	Witbeck
Costigan	Kirk	Schieffelin	Worth
Daly	Krack	Scudder	Wurts
Decker	Kshinka	Seward	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kshinka	Seward
Badger	Edson	Lewis	Shattuck
Barkley	Ely	Lillybridge	Sherwood
Beach	Faulkner	Lincoln	Silverman
Beardale	Fish	Mackin	Smith
Benedict	Gallagher	McAfee	Speaker
Berry	Gedney	McGowan	Stauf
Bishop	Green	McGroarty	Stephens
Bordwell	Griffin	Merwin	Struble
Bowen	Hanrahan	W. Miller	Talmage
Braman	Hauschel	Oakley	G. Taylor
Brogan	Hess	O'Keefe	Tewksbury
Calkins	Hinckley	Page	Vedder
T. C. Campbell	Hogan	Peck	Vosburgh
T. J. Campbell	Holmes	Petty	Waehner
Christopher	Houghton	Pierson	Wellington
Clark	Hussey	Pope	Wenzel
Oleary	Ives	Rich	West
Coffey	W. Johnson	Russell	Whitmore
Comstock	W. A. Johnson	Sanford	Willis
Cooke	Keenan	Schenck	Witbeck
Costigan	Kirk	Schieffelin	Wurts
Daly	Krack	Scudder	Yost
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Lewis	Shiel
Badger	Ely	Lincoln	Silverman
Barkley	Farrar	McAfee	Slingerland
Beach	Faulkner	McGowan	Smith
Beardsley	Fay	McGroarty	Speaker
Benedict	Fream	Merwin	Stauf

Bennett	Gallagher	J. W. Miller	Stephens
Berry	Gedney	W. Miller	Struble
Bordwell	Griffin	Oakley	Talmage
Braman	Hanrahan	O'Keefe	G. Taylor
Broas	Hauschel	Page	Tewksbury
Brown	Hess	Peck	Vedder
Calkins	Hinckley	Pierson	Vosburgh
T. C. Campbell	Hogan	Pope	Waehner
T. J. Campbell	Holmes	Reilly	Wellington
Christopher	Hussey	Roscoe	Wenzel
Clark	Husted	Russell	West
Cleary	Ives	Sanford	Whitmore
Comstock	W. Johnson	Schenck	Willis
Cooke	W. A. Johnson	Schieffelin	Witbeck
Costigan	Kennaday	Scudder	Worth
Daly	Kirk	Seward	Wurts
Decker	Krack	Sherwood	Yost
Dessar	Kshinka		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway in the city of New York," being announced for a third reading

Mr. Schieffelin, moved that said bill be recommitted to the committee on affairs of cities, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate bill entitled "An act to release certain lands which have escheated to the State to Eliza Blain, widow of John Blain, late of the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Lincoln	Silverman
Barkley	Faulkner	Mackin	Slingerland
Barrow	Fish	McGowan	Smith
Beach	Gallagher	McGroarty	Speaker
Benedict	Gedney	Merwin	Stauf
Berry	Green	J. W. Miller	Stephens
Bowen	Griffin	Oakley	Struble
Braman	Hammond	O'Keefe	Talmage
Brogan	Hanrahan	Peck	G. Taylor
Calkins	Hauschel	Petty	Tewksbury
T. C. Campbell	Hepburn	Pierson	Tremain
T. J. Campbell	Hinckley	Pope	Vedder
Christopher	Hogan	Reilly	Vosburgh
Clark	Holmes	Roscoe	Waehner

Cleary	Houghton	Russell	Wenzel
Comstock	Husted	Sanford	West
Cooke	Ives	Schenck	Whitmore
Costigan	W. Johnson	Schieffelin	Willis
Daly	Keenan	Scudder	Witbeck
Decker	Kirk	Seward	Worth
Dessar	Krack	Shattuck	Wurts
Edson	Kshinka	Sherwood	Yost
Ely	Lawson	Shiel	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

Mr. Waehner moved to lay the present order of business on the table for the purpose of taking up the order of business, reports of standing committees.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. Hinckley, Int. No. 503, entitled "An act to amend section 15 of article 1 of chapter 3 of part 1 of the Revised Statutes, relative to the paying over of moneys by the collectors of taxes in the several towns of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the bill introduced by Mr. McAfee, Int. No. 867, entitled "An act to exempt property, real and personal, of the Society of the New York Hospital from taxation," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Alvord dissented from said report.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Vedder, Int. No. 878, entitled "An act to amend chapter 20 of article 1, title 19 of part 1 of the Revised Statutes, concerning brokers," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to repeal chapter 20 of article 1, title 19 of part 1 of the Revised Statutes, concerning brokers," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Page, Int. No. 555, entitled "An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego, and to provide for the payment for his services," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 877, entitled "An act relative to judgments entered upon forfeited recognizances in the city and county of New York," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hammond, Int. No. 477, entitled "An act to provide for and regulate the mode of admission of attorneys and counselors coming from the courts of other States to practice in the courts of this State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Prince, Int. No. 628, entitled "An act to amend an act entitled 'An act to authorize the election of a police justice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village,' passed February 16, 1872," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 42 of the Laws of 1872, entitled 'An act to authorize the election of a police justice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Shiel, Int. No. 687, entitled "An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kennaday, Int. No. 845, entitled "An act to provide for the payment of jurors in important and protracted trials in the county of Kings," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to provide for the payment of jurors in protracted trials," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Daly, Int. No. 578, entitled "An act to further amend the act entitled 'An act requiring compensation for causing death by wrongful act, neglect or default,' passed December 13, 1847," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to further amend chapter 450 of the Laws of 1847, entitled 'An act requiring compensation for causing death by wrongful act, neglect or default,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Peck, Int. No. 838, entitled "An act to legalize the acts of Ensworth D. Babcock as notary public," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. McGroarty, Int. No. 847, entitled "An act to authorize the court of oyer and terminer and court of sessions of the county of Kings, to sentence prisoners convicted in said

courts of any offense, to the penitentiary of said county for any term for which they might be sentenced to a State prison," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bishop, Int. No. 628, entitled "An act to extend the jurisdiction of the Board of Canal Appraisers in relation to claims for lands taken and lands temporarily occupied by the State upon the Chenango canal extension," reported adversely thereto.

Mr. Bishop moved to disagree with said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was rejected.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Daly, Int. No. 511, entitled "An act to prevent injury to animals in the city of New York," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the resolution of Mr. Hess requesting said committee to draft a bill to put in force a system of rapid transit for New York city; to which was also referred the bills introduced by Mr. Shiel, Int. No. 338, by Mr. Dessar, Int. No. 476, by Mr. T. C. Campbell, Int. No. 654, by Mr. Kshinka, Int. No. 648, by Mr. Shattuck, Int. No. 462, by Mr. Prince, Int. No. 659, by Mr. Daly, Int. No. 710, all relating to railroads in cities, reported a bill entitled "An act supplementary to and amendatory of chapter 140 of the Laws of 1850, entitled 'An act to authorize the formation of railroad companies and to regulate the same,' " as a condensation and substitute for the aforesaid bills, and in accordance with the said resolution, which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. T. C. Campbell moved that 500 extra copies be printed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Prince, Int. No. 428, entitled "An act to provide for the construction, maintenance and operation of local railroads in cities, towns and villages," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommended the bill introduced by Mr. T. J. Campbell, Int. No. 882, entitled "An act in relation to the cleaning of the streets, avenues, lanes, alleys, places, wharves, piers and heads of slips in the city of New York, and the removal of ashes, garbage, rubbish and sweepings therefrom, and for the creation of a department to be known and entitled 'The department of street cleaning of the city of New York,' the head of which shall be known and entitled 'The Commissioner of Street Cleaning,' who shall take charge of and perform said work, and to secure a more effectual state of cleanliness and a better sanitary condition of the

streets of said city than has heretofore existed," retaining its place on general orders, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Keenan, Int. No. 852, entitled "An act to alter the map or plan of the city of New York by extending Lafayette place," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly dissented from said report.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kennaday, Int. No. 862, entitled "An act to authorize the county of Kings to purchase from the State of New York the State arsenal in the city of Brooklyn as an armory, and to provide for the sale of the same by the State," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 749, entitled "An act in relation to the Inebriate's Home for Kings county, and to require the incorporators thereof to take the constitutional oath of office," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Talmage, Int. No. 419, entitled "An act in relation to the post-road in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Kirk, Int. No. 572, entitled "An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same," retaining its place on general orders, reported in favor of the passage of the same, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Husted, Int. No. 816, entitled "An act to regulate and fix the salaries of the commissioners of docks of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Bradley, Int. No. 216, entitled "An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York,' chapter 590 of the Laws of 1872, passed May 7, 1872," retaining its place on third reading of bills, reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 884, entitled "An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,' passed February 18, 1871," reported in favor of the passage of

the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Worth, and by unanimous consent, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Dayton, Int. No. 191, entitled "An act to amend an act entitled 'An act to combine into one act the several acts relating to the city of Albany,' passed April 12, 1842, and the several acts amendatory thereof, and also to repeal the act to establish a capital police district, and to provide for the government thereof, passed April 22, 1865, and the several acts amendatory thereof, in so far as they relate to the city of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Daggett, Int. No. 760, entitled "An act for the preservation of fish in Salmon river, in Oswego county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Ely, Int. No. 776, entitled "An act permitting fishing with gill nets for suckers in Schuyler's lake," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Krack, Int. No. 662, entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Slingerland, Int. No. 824, entitled "An act to prevent fishing within three years in the waters of Lawson's and McCulloch's lake, in the county of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Lawrence, Int. No. 743, entitled "An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871," reported in favor of the passage of the same, with the title amended so as to read, "An act to further amend chapter 321 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Mackin, Int. No. 864, entitled "An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of two new towns therefrom, one from the northern and one from the southern portion thereof, and for the apportionment of the personal property of said town and of the debts thereof," reported in favor of the passage of a substituted bill entitled "An act for the

division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town and of the debts thereof," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Davis, Int. No. 630, entitled "An act to change the name of the village of Sandy Hill to that of Hudson Falls," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Stephens, Int. No. 799, entitled "An act to incorporate Friendship Hook and Ladder Company No. 4, of the village of New Brighton, in the county of Richmond," reported, asking that they be discharged from the further consideration of said bill, and that the same be referred to the committee on general laws; which report was agreed to, and said bill so referred.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Parmenter, Int. No. 176, entitled "An act to incorporate the West Sandlake Fire Company, in the town of Sandlake Rensselaer county," reported, asking that they be discharged from the further consideration of said bill, and that the same be referred to the committee on general laws; which report was agreed to, and said bill so referred.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Kellogg, Int. No. 98, entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal the present charter,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Bradley, Int. No. 97, entitled "An act to amend an act to incorporate the village of Bath, in the county of Steuben, passed June 20, 1851," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor moved to recommit to the committee of the whole the bill entitled "An act to unify the supervisory department of the educational system of the State of New York," now on the calendar of third reading of bills, and that the same retain its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Husted rose to a question of privilege in connection with the bill just recommitted, and stated that it appeared from the journal of the House that on his motion said bill was ordered to a third reading; that such record was incorrect, as he made no motion whatever relating to the bill, and he desired the journal so corrected.

Mr. Reilly moved to reconsider the vote by which the enacting clause was stricken out of the bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Yost moved that the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburgh,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871," and the same ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Resolved, That hereafter this House meet daily at 10 A. M., and adjourn at 2 P. M., except on Tuesdays and Thursdays, on which days the House shall take a recess from 2 P. M. until 7½ P. M.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the resolution introduced by Mr. Stauff, reported by a bill entitled "An act to regulate the quality, supply and price of illuminating gas in the State of New York, and for the protection of manufacturers and consumers thereof," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

Mr. Cleary moved to recommit said bill to the committee on trade and manufactures, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. T. C. Campbell, from the committee on banks, to which was referred the bill introduced by Mr. Stephens, Int. No. 625, entitled "An act to incorporate the Guaranty Mortgage and Trust Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Pope introduced a bill entitled "An act to amend chapter 770 of the Laws of 1866, entitled 'An act to improve the roads and bridges of this State,' passed April 24, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Wellington introduced a bill entitled "An act for the prevention of persons, corporations and associations from disposing of their property with the intention of avoiding assessments and the payment of taxes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Seward presented a petition of the Asylum of St. Vincent de Paul in regard to an amendment of the school laws; which was read and referred to the committee on public education.

By unanimous consent, Mr. O'Keefe introduced a bill entitled "An act for laying out and constructing a canal in continuation of Bushwick creek, in the city of Brooklyn, and for the construction of docks," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

On motion of Mr. O'Keefe, said bill was ordered printed.

By unanimous consent, Mr. Griffin introduced a bill entitled "An act to provide for building an iron bridge across the Hudson river at the village of Glens Falls, in the town of Queensbury, in the county of Warren, and authorizing the use of certain moneys now in the hands of the supervisor of said town for the building thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Sanford introduced a bill entitled "An act to change the name of the village of Potsdam Junction, in the town of Potsdam, county of St. Lawrence, to Baldwin," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Kennaday introduced a bill entitled "An act to amend chapter 40 of the Laws of 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17th, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Calkins introduced a bill entitled "An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Tewksbury introduced a bill entitled "An act to amend chapter 51 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water and to protect said village and the property therein against loss by fire,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Worth introduced a bill entitled "An act for the improvement of Myrtle avenue in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to open and extend Morrell street, in the city of Brooklyn, from Flushing avenue to Broadway, and to open and extend Lewis avenue, in said city, from Floyd street to Broadway," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Silverman introduced a bill entitled "An act to amend chapter 477 of the Laws of 1874, entitled 'An act to amend an act entitled 'An act for the improvement of First street and Franklin street in the city of Brooklyn,' passed May 21, 1872, and to improve Kent avenue,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, a bill entitled "An act to alter the commissioners' map of the city of Brooklyn, and closing a part of Bushwick avenue and court-yard," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Christopher introduced a bill entitled "An act to confirm the official acts and proceedings of officers of the village of Nelsonville, in the county of Putnam, and authorizing the officers of said village elected at the last annual election to take the oath of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Reilly introduced a bill entitled "An act to amend an act entitled 'An act more effectually to suppress gambling,' passed July 10, 1851," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Leave of absence was granted to Messrs. Friend and Hepburn indefinitely, and to Mr. Schuyler until Monday next.

On motion of Mr. Vosburgh, at 2 o'clock and 35 minutes, the House adjourned.

THURSDAY, APRIL 8, 1875.

The House met pursuant to adjournment.

Mr. Waehner in the chair.

No clergyman present.

The reading of the journal of yesterday was dispensed with.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," with a message informing that they assent to a committee of conference thereon, and have appointed as such committee on their part Messrs. Gross, Woodin and Wagner.

Mr. T. C. Campbell moved to lay the present order of business, third reading of bills, on the table, for the purpose of considering general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bills entitled as follows:

"An act to extend the time for the collection of taxes in the town of Plattsburgh."

"An act to extend the time for the collection of taxes in the towns of Ticonderoga and Schroon, in the county of Essex."

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That the testimony and proceedings of the joint committee appointed to investigate matters as to alleged canal frauds be printed, under the direction of said committee, as said committee shall proceed in its investigation.

Said resolution being concurrent,

Ordered, That the same be laid on the table.

The Senate returned the bill entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county,'" with a message informing that they had passed the same, with the following amendments:

Section 1, lines 5 and 6, strike out the words "first Tuesday in November next," and insert in lieu thereof the words "passage of this act."

Insert as section 2 the following:

"§ 2. Section 2 of said act is hereby amended so as to read as follows:

"§ 2. On the first Tuesday of November next it shall be lawful for the electors of Queens county to elect seven coroners in and for said county."

Change section 2 to section 3.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Krack	Schieffelin
Barkley	Decker	Law	Scudder
Beach	Edson	Lawson	Seward
Beardsley	Ely	Lewis	Shattuck
Benedict	Faulkner	Lillybridge	Sherman
Bennett	Fream	Lincoln	Silverman
Berry	Gallagher	Mackin	Smith
Bishop	Gedney	McAfee	Stauf
Bordwell	Green	McGroarty	G. Taylor
Bowen	Griffin	Merwin	W. F. Taylor
Brogan	Hammond	J. W. Miller	Tremain
Calkins	Hanrahan	Oakley	Vedder
T. C. Campbell	Hinckley	O'Keefe	Waehner
T. J. Campbell	Hogan	Peck	Wellington
Christopher	Hussey	Pierson	Wenzel
Clark	Husted	Ransom	West
Coffey	Ives	Rich	Whitmore
Cole	W. Johnson	Roscoe	Willis
Comstock	W. A. Johnson	Russell	Worth
Daggett	Kennaday	Schenck	

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Husted moved to lay the order of business, third reading of bills, on the table, for the purpose of considering general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

By unanimous consent, Mr. Alvord presented a remonstrance of all the town supervisors in the county of Onondaga, nineteen in number,

against an increase of wards in the city of Syracuse beyond twelve; which was read and referred to the committee on affairs of cities.

On motion of Mr. Hammond, and by unanimous consent,

Resolved, That hereafter when any bill in general orders shall have been called three times, and not moved, that the same be placed at the foot of the calendar of general orders.

Mr. Speaker announced the special order, being the bill entitled as follows:

"An act creating the office of inspector of public works, providing for his appointment and compensation."

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. G. Taylor, from said committee, reported in favor of the passage of the same, with amendments, and the title amended by striking out all after the word "works;" which report was agreed to, and said bill ordered engrossed and to a third reading.

A message from the Senate was received and read, informing that they had agreed to the report of the committee of conference, in the words following:

The committee of conference to which was referred the matters in difference between the two Houses upon the Assembly bill entitled "An act to amend an act entitled 'An act to provide for the election of a receiver of taxes and assessments for the town and village of Lansingburgh, in the county of Rensselaer,' passed May 5, 1870, beg leave respectfully to report: That they have met and duly considered the same, and have agreed to recommend that the Assembly concur in the amendment made by the Senate.

R. A. PARMENTER,
H. C. CONNELLY,
Senate Committee.

W. F. TAYLOR,
WM. V. CLEARY,
CHARLES REILLY,
JOHN MCGROARTY,
WM. H. LAWSON,
Assembly Committee.

Mr. Speaker announced the question to be upon agreeing with said report.

Mr. W. F. Taylor moved to lay said report on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act for the relief of Catherine T. Wetmore and her children," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the petition of Roman Albert, presented by Mr. Kshinka, praying to take and hold lands devised to him, reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Edson, from the committee on petitions of aliens, to which was referred the Senate bill introduced by Mr. Woodin, Int. No. 102, entitled "An act to release the title and interest of the people of the State of New York in and to certain real estate of which Henry Doyle, late of

the city of Auburn, in the State of New York, died siezed to Bridget Doyle his wife," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee of conference on the bill entitled "An act to amend chapter 146 of the Laws of 1872, entitled 'An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof,'" submitted the following report:

The committee having duly met and considered the same, have agreed to recommend as follows: That the Senate agree to the amendment proposed by the Assembly, with the following addition at the end thereof: "But the authority herein granted shall not be construed to authorize any corporation organized under the laws existing or doing business in this State to purchase, hold, own or convey any other stocks than such as may be or may have been based upon or represent real estate, the possession of which shall be required in the transaction of its legitimate and ordinary business."

JACOB A. GROSS,
GEO. B. BRADLEY,
W. S. DICKINSON,
Senate Committee.

L. C. WAEHNER,
S. H. HAMMOND,
T. C. CAMPBELL,
NATHAN D. PETTY,
C. P. VEDDER,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fish	McGroarty	Smith
Beach	Fream	Merwin	Stacy
Beardsley	Gallagher	J. W. Miller	Stauf
Benedict	Green	Oakley	Stephens
Bennett	Griffin	O'Keefe	Talmage
Bishop	Hammond	Petty	G. Taylor
Bordwell	Hess	Pierson	W. F. Taylor
Brogan	Hinckley	Prince	Tewksbury
Calkins	Hogan	Ransom	Tremain
T. C. Campbell	Holmes	Reilly	Vedder
Christopher	Hussey	Roscoe	Vosburgh
Clark	Husted	Russell	Waehner
Cleary	Kennaday	Sanford	Wellington
Coffey	Kirk	Schenck	Wenzel
Cole	Kshinka	Schieffelin	West
Costigan	Law	Scudder	Whitmore
Daly	Lawrence	Seward	Willis
Decker	Lawson	Sherwood	Witbeck
Edson	Lewis	Shiel	Worth
Farrar	Lincoln	Silverman	Wurts
Faulkner	Mackin	Slingerland	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions.'"

"An act to amend chapter 248 of the Laws of 1872, entitled 'An act to authorize the formation, establishing and maintaining of driving park and park associations.'"

"An act in relation to street railroads."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Costigan, from said committee, reported in favor of the passage of said first and second mentioned bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Costigan, from said committee, also reported that they had stricken out the title of said third mentioned bill.

The question being on agreeing to said report,

Mr. Brogan moved to disagree with the report of said committee, and that the title be restored and said bill ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 56 }
{ NOES 50 }

Those who voted in the affirmative, were

Badger	Fay	Lawrence	Scudder
Barkley	Fish	Lawson	Sherman
Bennett	Gallagher	Lewis	Shiel
Berry	Griffin	Oakley	Stauf
Bordwell	Hanrahan	O'Keefe	Talmage
Brogan	Hauschel	Peck	Tremain
Burtis	Houghton	Pierson	Vosburgh
Clark	Hussey	Ransom	Wellington
Cleary	Ives	Reilly	Wenzel
Coffey	W. A. Johnson	Rich	Whitmore
Cole	Keenan	Roscoe	Witbeck
Costigan	Kirk	Russell	Wurts
Daly	Krack	Schenck	Yost
Ely	Kshinka		

Those who voted in the negative, were

Alvord	Farrar	Lillybridge	Schieffelin
Beach	Faulkner	Lincoln	Seward
Benedict	Fream	McAfee	Sherwood
Bishop	Gedney	McGowan	Smith
Bowen	Green	McGroarty	Stephens
Calkins	Hammond	Merwin	Struble
T. C. Campbell	Hess	W. Miller	G. Taylor
Christopher	Hinokley	Page	W. F. Taylor
Comstock	Hogan	Petty	Tewksbury
Cooke	Holmes	Pope	Vedder

Daggett
Decker
Dessar

Husted
Kennaday
Law

Prince
Sanford

Waehner
Willis

Ordered, That said bill be engrossed and to a third reading.

On motion of Mr. Burtis, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875," and said bill, as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kshinka	Shattuck
Badger	Edson	Law	Sherman
Barkley	Ely	Lawrence	Sherwood
Beach	Farrar	Lincoln	Shiel
Benedict	Faulkner	McAfee	Silverman
Berry	Fay	McGroarty	Slingerland
Bishop	Fream	Merwin	Smith
Bordwell	Friend	Oakley	Stauf
Bowen	Gallagher	O'Keefe	Struble
Brogan	Gedney	Page	Talmage
Burtis	Green	Peck	G. Taylor
Calkins	Griffin	Petty	Tewksbury
T. C. Campbell	Hauschel	Pierson	Tremain
Christopher	Hess	Pope	Vedder
Clark	Hinckley	Prince	Vosburgh
Cleary	Hogan	Ransom	Waehner
Cole	Holmes	Reilly	Wellington
Comstock	Houghton	Roscoe	Wenzel
Cooke	Husted	Russell	Whitmore
Costigan	Ives	Schenck	Willis
Daggett	Keenan	Schieffelin	Worth
Davis	Kennaday	Soudder	Wurts
Decker	Krack	Seward	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

By unanimous consent, Mr. Oakley introduced a bill entitled "An act to amend chapter 538 of the Laws of 1874, entitled 'An act to amend an act entitled An act in relation to the keeping open of certain public offices in the county of Kings,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Prince, and by unanimous consent, 250 extra copies of the bill entitled "An act to provide for the construction, maintenance

and operation of local railroads in cities, towns and villages," were ordered printed for the use of the Legislature.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize the increase of the capital stock of the Staten Island Bridge Company."

"An act for the prevention of adulteration of food, drink and drugs."

"An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865, entitled An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 28, 1864."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Willis, from said committee, reported in favor of the passage of said bills; which report was agreed to, and said bills ordered engrossed and to a third reading.

On motion of Mr. Vosburgh, and by unanimous consent,

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 417, entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county," and that the same be ordered to a third reading.

Mr. Vedder, from the committee of conference on the Senate bill entitled "An act to appoint a reporter of decisions of the supreme court," reported that the committee having duly met and considered the same agreed to recommend as follows: That the Senate concur in the amendments made by the Assembly.

F. W. TOBEY,
A. P. LANING,
WM. JOHNSON,

Senate Committee.

C. P. VEDDER,
S. H. HAMMOND,
LEO C. DESSAR,
D. R. SHIEL,
JAMES W. HUSTED,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

Mr. Vedder offered for the consideration of the House a resolution, in the words following:

Resolved, That Senate bill No. 88, G. O. 398, entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus reservation, and to provide for its management and maintenance," be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. T. C. Campbell offered for the consideration of the House a resolution in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 309, entitled "An act to regulate the use of slips, wharves and piers in the city of New York," and the same be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said

motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation, by the Commissioners of the Land Office,' and authorizing the Commissioners of the Land Office to exchange lands on said reservation."

Senate, "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus Reservation, and to provide for its management and maintenance."

"An act to repeal chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,' passed December 17, 1874."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kennaday, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Kennaday, from said committee, also reported in favor of the passage of said second mentioned bill; which report was agreed to, and said bill ordered to a third reading.

Mr. Kennaday, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Mr. T. C. Campbell moved that said bill be considered in the next committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, reported a bill entitled "An act to authorize the appointment of a board of audit for the adjustment of claims against the city of New York," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The hour of 2 o'clock having arrived, the House took a recess until 7½ o'clock P. M.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to enable the board of education of the city of Brooklyn to sell certain lands."

"An act to release the interest of the people of the State of New York in certain real estate to the town of Naples, Ontario county."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled as follows:

"An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act revising and amending an act entitled 'An act to incorporate the village of Ulster,' passed April 10, 1845, as amended by chapter 847 of the Laws of 1866, passed April 28, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to make town 1, range 8 of the Holland Land Company survey, located in the town of South Valley, Cattaraugus county, a separate road district, and provide for a commissioner of highways for said district, and also to appropriate money to repair a bridge over the Allegany river on the Indian reservation in said town," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend an act entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies, passed April 5, 1818, and supplementary thereto,' passed March 29, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend an act entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States and Territories of the United States,' passed March 10, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to incorporate the Rescue Hook and Ladder Company of Tonawanda, Erie county, New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act for the incorporation of societies or clubs for certain lawful purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act legalizing certain proceedings of a town meeting held in the town of Moriah, Essex county, on the first Tuesday of March, 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to provide for the consolidation of school districts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend an act entitled 'An act to authorize the consolidation of certain railroad companies,' passed May 20, 1869," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Pierson, and by unanimous consent, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Barkley	Hammond	McGowan	Sherwood
Beach	Hauschel	McGroarty	Silverman
Beardsley	Hinckley	Merwin	Smith
Berry	Hogan	Muller	Speaker
Bowen	Holmes	Oakley	Stacy
Brogan	Houghton	Page	Stauf
T. C. Campbell	Hussey	Petty	G. Taylor
T. J. Campbell	Husted	Pierson	W. F. Taylor
Christopher	Ives	Ransom	Tremain
Clark	W. Johnson	Reilly	Vedder
Comstock	W. A. Johnson	Rich	Vosburgh
Cooke	Keenan	Roscoe	Waehner
Costigan	Kennaday	Sanford	Wellington
Daly	Kirk	Schenck	Wenzel
Davis	Krack	Schieffelin	West
Decker	Kshinka	Scudder	Willis
Farrar	Lewis	Seward	Worth
Fream	Lincoln	Shattuck	Wurts
Gedney	McAfee	Sherman	Yost
Green			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the resolution relative to printing the report of the commissioners upon the disposition and management of the Cornell University land grant, with a message informing of concurrence in the passage of the same, with the following amendment:

Strike out "1,000" and insert "500."

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled as follows:

"An act to amend sections 2 and 3 of chapter 485 of the Laws of 1872, entitled 'An act to amend chapter 12 of the Laws of 1872, entitled An act prescribing the officers and employees that may be elected, appointed or employed by the Senate and Assembly, fixing the salary

and compensation thereof, and regulating the proceedings of investigating committees, and providing for the payment of the expenses thereof.”

Ordered, That the Clerk deliver said bill to the Governor.

Leave of absence was granted to Mr. Edson indefinitely.

The Senate returned the bill entitled “An act to amend an act entitled ‘An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,’ passed June 18, 1873,” with a message informing of concurrence in the passage of the same, with the following amendment:

Add at the end of section 2 the following: “But nothing herein contained shall effect any suit or proceeding now pending in any of the courts of this State.”

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES. 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Badger	Fream	McAfee	Shattuck
Barkley	Gedney	McGowan	Sherman
Beach	Green	McGroarty	Sherwood
Beardsley	Hammond	Merwin	Shiel
Bennett	Hanrahan	Muller	Silverman
Berry	Hess	Oakley	Smith
Bishop	Hinckley	O’Keefe	Speaker
Bordwell	Holmes	Peck	Stacy
Bowen	Houghton	Petty	Struble
Braman	Hussey	Pierson	Talmage
T. C. Campbell	Husted	Ransom	G. Taylor
T. J. Campbell	Ives	Reilly	Tremain
Christopher	W. Johnson	Rich	Vosburgh
Clark	W. A. Johnson	Roscoe	Waelner
Comstock	Kennaday	Russell	Wellington
Cooke	Kirk	Sanford	West
Costigan	Krack	Schenck	Willis
Daly	Kshinka	Schieffelin	Witbeck
Decker	Lincoln	Scudder	Worth
Dessar	Mackin	Seward	Warts
Farrar			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

By unanimous consent,

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Shattuck, Int. No. 801, entitled “An act to increase the powers and duties of the Canal Board of this State,” reported adversely thereto.

Mr. Shattuck moved to disagree with said report, and that said bill be referred to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was rejected.

By unanimous consent,

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Davis, Int. No. 368, entitled "An act in relation to canals," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on canals, introduced a bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The Senate returned the bill entitled "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company," with a message informing of concurrence in the passage of the same, with the following amendment:

Add at the end of section 1 the following: "Provided that the stockholders owning the stock at the time of such increase of capital pro rata according to the number of shares of stock owned respectively by each."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Barkley	Dessar	Kshinka	Seward
Beach	Farrar	Lawrence	Sherman
Beardsley	Fream	Lewis	Sherwood
Bennett	Gedney	Lincoln	Shiel
Berry	Green	Mackin	Speaker
Bishop	Griffin	McAfee	Stauf
Bordwell	Hammond	McGroarty	Struble
Bowen	Hanrahan	Merwin	Talmage
Brogan	Hauschel	Muller	G. Taylor
Burtis	Henn	Oakley	W. F. Taylor
Calkins	Hinckley	O'Keefe	Tewksbury
T. C. Campbell	Hogan	Page	Vosburgh
T. J. Campbell	Holmes	Peck	Waehner
Christopher	Houghton	Pierson	Wellington
Clark	Husted	Ransom	Wenzel
Coffey	Ives	Reilly	West
Comstock	W. Johnson	Rich	Whitmore
Cooke	Keenan	Russell	Willis

Costigan
Daly
Decker

Kennaday
Kirk
Krack

Sanford
Schieffelin
Scudder

Witbeck
Worth
Wurts

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

Mr. Speaker announced the special order, being the consideration of the excise law.

By unanimous consent, Mr. Alvord introduced a bill entitled "An act to amend chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga; also Clyde and Seneca rivers, in the counties of Wayne and Cayuga,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Sherwood introduced a bill entitled "An act to authorize the filling of the Chenango canal extension at the crossing of Robinson and Eldredge streets, in the city of Binghamton," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to repeal chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,' passed December 17, 1874."

"An act to suppress intemperance and to regulate the sale of intoxicating liquors."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Kennaday, from said committee, reported that they had stricken out the title to said first mentioned bill.

The question being on agreeing to said report,

Mr. Costigan moved to disagree with the report of said committee, that the title be restored, and said bill ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 43 }
{ NOES 60 }

Those who voted in the affirmative, were

Badger	Cooke	Keenan	Schenck
Beach	Costigan	McAfee	Scheffelin
Beardsley	Daly	McGowan	Seward
Bennett	Davis	W. Miller	Sherman
Berry	Dessar	Muller	Smith
Brogan	Farrar	O'Keefe	Talmage
Brown	Hammond	Peck	W. F. Taylor
Burtis	Hauschel	Petty	West
T C. Campbell	Hess	Pope	Willis
Clark	Hogan	Prince	Yost
Coffey	W. A. Johnson	Roscoe	

Those who voted in the negative, were

Barkley	Green	Lewis	Speaker
Bishop	Griffin	Lincoln	Stauf

Bordwell	Hanrahan	Mackin	Stephens
Bowen	Hinckley	Merwin	Struble
Calkins	Holmes	J. W. Miller	G. Taylor
T. J. Campbell	Houghton	Page	Tewksbury
Cole	Hussey	Pierson	Tremain
Comstock	Ives	Ransom	Vedder
Decker	W. Johnson	Rich	Waehner
Ely	Kennaday	Russell	Wellington
Faulkner	Kirk	Scudder	Wenzel
Fish	Krack	Shattuck	Whitmore
Fream	Law	Sherwood	Witbeck
Gallagher	Lawrence	Shiel	Worth
Gedney	Lawson	Slingerland	Wurts

Pending the call, Mr. West asked to be excused from voting.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Kennaday, from said committee, also reported progress on said second mentioned bill, and asked and obtained leave to sit again.

Mr. T. J. Campbell moved that the bills Nos. 341 and 342, being those relating to the excise law, be made a special order for next Thursday evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. McGroarty offered for the consideration of the House a resolution in the words following:

Resolved, That the Speaker and Clerk of this House be and they are hereby directed to cause an examination to be made of all bills now on general orders, and such bills as may be reported from any standing committee, and from time to time submit a list to this House of such as are properly referable to the sub-committee of the whole, and the approval of the House of such list, shall refer such bills to the sub-committee of the whole, with the same effect that separate resolutions now refer such bills; no bill shall be selected for reference unless the same has been reported favorably to the House by one of its standing committees, and the objection of any member to the reference of any bill so selected shall preclude its reference under this resolution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Daly, at 10 o'clock and 25 minutes, the House adjourned.

FRIDAY, APRIL 9, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. McDonald.

The reading of the journal of yesterday was dispensed with.

The Senate returned the bills entitled as follows :

"An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company."

"An act to amend an act entitled 'An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,' passed June 18, 1873."

"An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

Ordered, That the Clerk deliver said bills to the Governor.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

By unanimous consent, Mr. Oakley introduced a bill entitled "An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Newtown, Queens county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Law introduced a bill entitled "An act to legalize the annual town meeting held at the Salem hotel, in the town of Salem, county of Washington, the election and proceedings by said meeting and all acts and proceedings in pursuance thereof," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Law, and by unanimous consent, said bill was ordered to a third reading.

Mr. Talmage offered for the consideration of the House a resolution, in the words following :

Resolved, That the committee of the whole be discharged from the further consideration of the bill entitled "An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,'" and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent, Mr. Worth introduced a bill entitled "An act for the payment of fees of sheriffs in the different counties of this State for the confinement of prisoners on civil process," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Whitmore introduced a bill entitled "An act to provide for the election of a police constable in the village of McGrawville, Cortland county," which was read the first time, and by

unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. Kshinka introduced a bill entitled "An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Christopher introduced a bill entitled "An act authorizing Leonard Schedyel to establish a ferry across the Hudson river from Cold Spring landing, at Phillipstown, in the county of Putnam, to West Shore, in the county of Orange," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

Also, by unanimous consent, a bill entitled "An act to give validity to the act of the president of the board of trustees of 1874 of the village of Nelsonville, in the county of Putnam, in administering the oath of office to the trustees elected at the last annual election, and to confirm the official acts and proceedings of officers of preceding boards," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Christopher, said bill was ordered to a third reading.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Stephens, Int. No. 624, entitled "An act to dispose of the surplus lands known as the Seamen's Retreat, in the county of Richmond, and for the payment of the debt of the Seamen's Fund and Retreat of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Stephens, Int. No. 796, entitled "An act to amend chapter 569 of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seamen's Retreat on Staten Island,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Worth, Int. No. 858, entitled "An act to amend chapter 253 of the Laws of 1869, entitled 'An act to amend an act entitled An act to incorporate the New York and Brooklyn Iron Tubular Tunnel Company,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Oakley, from the committee on commerce and navigation, to which was referred the Senate bill introduced by Mr. King, Int. No. 87, entitled "An act to prohibit the throwing of cinders, ashes, refuse and garbage into the waters of Long Island sound, and into the bays and harbors opening into the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Badger, Int. No. 834, entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Pope, Int. No. 885, entitled "An act to amend chapter 770 of the Laws of 1866, entitled 'An act to improve the roads and bridges of this State,' passed April 24, 1866," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Speaker, Int. No. 874, entitled "An act to amend chapter 548 of the Laws of 1869, entitled 'An act to authorize the construction and maintenance of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Christopher, Int. No. 777, entitled "An act to further amend chapter 138 of the Laws of 1858, entitled 'An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair,' passed March 24, 1857, passed April 12, 1858," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Griffin, Int. No. 888, entitled "An act to provide for building an iron bridge across the Hudson river at the village of Glens Falls, in the town of Queensbury, in the county of Warren, and authorizing the use of certain moneys now in the hands of the supervisor of said town for the building thereof," for which was substituted the bill entitled "An act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town for the construction of an iron bridge across the Hudson river at Glens Falls in said town," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Wenizel, Int. No. 546, entitled "An act to incorporate the Narrowsburg Bridge Company," for which was substituted the bill entitled "An act to incorporate the Narrowsburg Bridge Company," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Sherman, Int. No. 576, entitled "An act to amend an act entitled 'An act to authorize plank-road and turn-pike companies, formed under and by virtue of part 1, chapter 18, title 1, article 5 of the Revised Statutes, to extend their charter or corporate existence,' passed April 18, 1872," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. McGowan, Int. No. 853, entitled "An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Edson, Int. No. 699, entitled "An act to incorporate the Fredonia Library Association," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Benedict, Int. No. 715, entitled "An act authorizing the city of Schenectady to raise money for school purposes," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. G. Taylor, from the committee on public education, reported a bill entitled "An act to amend section 14 of title 9 of chapter 555 of the Laws of 1864, entitled 'An act to revise and consolidate the general acts relating to public instruction,'" which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

By unanimous consent,

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Prince, Int. No. 795, entitled "An act in relation to the Flushing high school in school district No. 5, of the town of Flushing, Queens county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Burtis, Int. No. 806, entitled "An act to authorize the city of Brooklyn to issue bonds for the purchase of school sites, and the building of primary school-houses thereon, in the said city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. G. Taylor, from the committee on public education, to which was referred the Senate bill introduced by Mr. Ray, Int. No. 93, entitled "An act relative to the incorporation of musical colleges, schools and acade-

mies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Rich introduced a bill entitled "An act to authorize the Canal Commissioners to construct a swing bridge over the Erie canal, on Main street, in the village of Brockport," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

Also, by unanimous consent, a bill entitled "An act in relation to the collection of uncollected taxes in the village of Brockport for the year 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, by unanimous consent, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Husted introduced a bill entitled "An act to amend the charter of the American Popular Life Insurance Company of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Berry, Int. No. 820, entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed May 20, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Schenck, Int. No. 583, entitled "An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 738, Laws of 1872, entitled An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, also to repeal section 30 of said act," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. McGroarty, Int. No. 600, entitled "An act to legalize the acts of the several boards of health in the towns of Kings county, and in the towns of Newtown, Flushing and Jamaica, in the county of Queens," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Dow, Int. No. 106, entitled "An act for the preservation of fish in Chautauqua lake," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Vosburgh, Int. No. 308, entitled "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof,"

with power to report at any time, retaining its place on third reading of bills, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill replaced on the calendar of third reading of bills.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kennaday, Int. No. 860, entitled "An act to provide for raising money to provide an armory in the city of Brooklyn for the Fourteenth regiment of the National Guard of the State of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. G. Taylor, Int. No. 826, entitled "An act in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 96, entitled "An act to confer additional powers on the common council of the city of Cohoes," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ransom, Int. No. 695, entitled "An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue, from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Shattuck moved to reconsider the vote agreeing to the adverse report of the committee on canals on the bill entitled "An act to increase the powers and duties of the Canal Board of this State."

Mr. Alvord moved to lay that motion on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Costigan moved to reconsider the vote agreeing to the report of the committee of the whole on the bill entitled "An act to repeal chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,' passed December 17, 1874," and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the negative.

{ AYES 42 }
{ NOES 54 }

Those who voted in the affirmative, were

Badger	Cooke	J. W. Miller	Schenck
Beach	Costigan	W. Miller	Schieffelin

[ASSEM. JOURNAL.]

Berry	Daly	Muller	Seward
Bowen	Farrar	O'Keefe	Sherman
Brogan	Hammond	Peck	Silverman
Burtis	Hanschel	Petty	Smith
T. C. Campbell	Hess	Prince	Talmage
Christopher	W. A. Johnson	Reilly	W. F. Taylor
Clark	Keenan	Roscoe	West
Cleary	McAfee	Sanford	Willis
Coffey	McGowan		

Those who voted in the negative, were

Alvord	Fish	Kshinka	Scudder
Barkley	Fream	Law	Shattuck
Barrow	Gallagher	Lawrence	Speaker
Benedict	Gedney	Lawson	Struble
Bishop	Griffin	Lewis	G. Taylor
Bordwell	Hanrahan	Lillybridge	Tewksbury
Braman	Hinckley	Lincoln	Tremain
Broas	Hogan	Mackin	Vedder
Calkins	Holmes	McGroarty	Waehner
T. J. Campbell	Hussey	Merwin	Wellington
Cole	W. Johnson	Page	Whitmore
Comstock	Kennaday	Pierson	Worth
Decker	Kirk	Ransom	Wurts
Faulkner	Krack		

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the negative.

On motion of Mr. Prince,

Resolved, That Assembly bill No. 299, G. O. 301, entitled "An act to amend an act entitled 'An act to authorize the South Side Railroad Company of Long Island to build or purchase branches, extend its main line, and to purchase the stock of the New York and Flushing Railroad Company, the Far Rockaway Branch Railroad Company, and Rockaway Railroad Company, of Queens county, New York, and of the Hunter's Point and South Side Railroad Company, also of Queens county, New York, and to consolidate the said companies or any two or more of them into one corporation, and also to use steam dummies,' passed May 31, 1872," be recommitted to the committee on affairs of cities, retaining its place on general orders.

By unanimous consent, on motion of Mr. Wurts,

Resolved, That the committee on public health be discharged from the further consideration of the bill entitled "An act for the better protection of health of the city of New York," and that the same be printed and recommitted to said committee.

By unanimous consent,

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the annual report of the Canal Appraisers, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That 500 copies of the annual report of the Canal Appraisers be printed, with paper covers, for the use of the Board of Appraisers.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

By unanimous consent,

Mr. Friend, from the committee on public printing, to which was referred the joint resolution relative to printing extra copies of the eighth annual report of the State Board of Charities, reported in favor of the passage of the same, in the words following:

Resolved (if the Assembly concur), That there be printed of the eighth annual report of the State Board of Charities, 1,500 copies for the use of the Board, 1,000 copies in paper covers, and 500 copies bound in muslin.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,' passed February 18, 1871."

"An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburgh,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871."

"An act creating the office of inspector of public works."

"An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions.'"

"An act to amend chapter 248 of the Laws of 1872, entitled 'An act to authorize the formation, establishing and maintaining of driving park and park associations.'"

"An act in relation to street railroads."

"An act to authorize the increase of the capital stock of the Staten Island Bridge Company."

"An act for the prevention of adulteration of food, drink and drugs."

"An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865, entitled An act to amend an act entitled An act in relation to the compensation of the several officers of State prisons,' passed April 23, 1864."

"An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county."

"An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine-salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office, and authorizing the Commissioners of the Land Office to exchange lands on said reservation.'"

"An act to authorize the city of Elmira to borrow money and issue bonds of the city therefor in payment of the floating debt of said city."

Mr. Hammond called from the table the resolution previously offered by him, in the words following:

Resolved (if the Senate concur), That the Senate and Assembly will adjourn *sine die* on Friday, 23d inst., at 12 o'clock noon.

Debate was had thereon, when

Mr. Kennaday moved to amend by changing the time until April 30.

Mr. T. J. Campbell moved to lay the whole subject on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. T. J. Campbell, and it was determined in the negative.

Mr. Dessar moved to amend by inserting in lieu thereof May 10.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Dessar, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Kennaday, and it was determined in the negative.

{ AYES 38 }
{ NOES 62 }

Those who voted in the affirmative, were

Beardsley	Dessar	Lewis	Sherwood
Benedict	Farrar	McGroarty	Silverman
Braman	Gallagher	Muller	Slingerland
Brogan	Hanrahan	O'Keefe	Smith
Brown	Hess	Peck	Stauf
Calkins	Hinckley	Ransom	Talmage
Cleary	Keenan	Reilly	G. Taylor
Coffey	Kennaday	Schenck	Vosburgh
Costigan	Kshinka	Shattuck	Wenzel
Davis	Lawrence		

Those who voted in the negative, were

Alvord	Fream	Lincoln	Souder
Badger	Green	McAfee	Seward
Barkley	Griffin	McGowan	Silverman
Barrow	Hammond	Merwin	Stacy
Berry	Hauschel	J. W. Miller	Stephens
Bishop	Hogan	W. Miller	W. F. Taylor
Bordwell	Holmes	Page	Tewksbury
Bowen	Hussey	Petty	Tremain
Broas	Husted	Pierson	Vedder
Burtis	W. Johnson	Pope	Waehner
T. C. Campbell	W. A. Johnson	Prince	Wellington
T. J. Campbell	Kirk	Roscoe	Whitmore
Christopher	Krack	Russell	Worth
Clark	Law	Sanford	Wurts
Daggett	Lawson	Schieffelin	Yost
Decker	Lillybridge		

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Pierson offered for the consideration of the House a resolution, in the words following:

Whereas, A resolution has already been adopted by this House appointing R. B. Vose superintendent of the mailing and express department, at a salary of five dollars per day; therefore,

Resolved, That said R. B. Vose be paid from the beginning of the session at the same per diem as mentioned in said resolution.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kshinka	Seward
Badger	Farrar	Lawrence	Shattuck
Barkley	Fish	Lawson	Silverman
Barrow	Fream	Lillybridge	Slingerland
Benedict	Gallagher	Lincoln	Speaker
Berry	Gedney	Mackin	Stacy
Bishop	Green	McAfee	Stephens
Bordwell	Griffin	McGowan	Struble
Braman	Hanrahan	McGroarty	G. Taylor
Broas	Hauschel	Merwin	W. F. Taylor
Brown	Hess	J. W. Miller	Tewksbury
Calkins	Hinckley	W. Miller	Tremain
T. C. Campbell	Hogan	Muller	Vosburgh
T. J. Campbell	Holmes	Page	Waehner
Clark	Hussey	Petty	Wellington
Coffey	Husted	Pierson	West
Cole	W. Johnson	Prince	Whitmore
Comstock	W. A. Johnson	Ransom	Witbeck
Daggett	Keenan	Sanford	Worth
Daly	Kennaday	Schenck	Wurts
Davis	Krack	Schieffelin	Yost
Decker			

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Struble, Int. No. 436, entitled "An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes, relating to the distribution of the personal property of persons dying intestate," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. W. Miller, Int. No. 411, entitled "An act to give effect to a deed of assignment made by the Washington Iron Works to James Bigler," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Benedict, Int. No. 883, entitled "An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870, in reference to acquiring title to real estate for burial purposes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hammond, Int. No. 711, entitled "An act requiring records to be made and preserved by corporations, municipal boards and public officers," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Oakley, Int. No. 901, entitled "An act to amend chapter 533 of the Laws of 1874, entitled 'An act to amend an act entitled An act in relation to the keeping open of certain public offices in the county of Kings,' " reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act further to amend chapter 857 of the Laws of 1878, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings,' " which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ransom, Int. No. 843, entitled "An act to abolish the office of police justice in the village of Tonawanda," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda,' " which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Wellington, Int. No. 886, entitled "An act for the prevention of persons, corporations and associations from disposing of their property with the intention of avoiding assessments and the payment of taxes," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kshinka, Int. No. 700, entitled "An act to amend certain sections of title 3, entitled 'Of partition of lands owned by several persons,' of chapter 5 of part 3 of the Revised Statutes," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Shiel, Int. No. 694, entitled "An act in relation to Wesley Sterling Yard, late a reporter in the first judicial department of the supreme court," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Lincoln, Int. No. 162, entitled "An act to repeal chapter 799 of the Laws of 1873, entitled 'An act to incorporate the Wine and Spirit Traders' Society of the United States,' " reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was

referred the bill introduced by Mr. Petty, Int. No. 722, entitled "An act to repeal section 2 of chapter 887 of the Laws of 1867, entitled 'An act to enable husband and wife, or either of them, to be a witness for or against the other, or on behalf of any party, in certain cases,'" reported adversely thereto.

Mr. Petty moved to disagree with said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was rejected.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Speaker, Int. No. 666, entitled "An act to enable a wife to be a witness against her husband, or on behalf of another party, in cases of criminal conversation," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 204, entitled "An act to enable aliens to purchase, hold, grant, convey and devise real estate, and to confirm the titles to real estate of aliens, and of persons holding from or through aliens," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kshinka, Int. No. 489, entitled "An act to amend section 42 of chapter 8 of part 2 of the Revised Statutes," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Stauf, Int. No. 326, entitled "An act for the better protection of purchasers of articles upon installments," reported adversely thereto, which report was agreed to.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 17, entitled "An act to amend title 2, chapter 10, part 3 of the Revised Statutes, entitled 'Of security for the payment of costs,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Bradley, Int. No. 108, entitled "An act for the relief of Catharine T. Wetmore and her children," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Lord, Int. No. 105, entitled "An act relating to the term of office of the clerk of the commission of appeals," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Husted, and by unanimous consent, the bill entitled "An act to legalize the annual town meeting held at the Salem hotel, in the town of Salem, county of Washington, the election, resolution and proceedings by said meeting, and all acts and proceedings in pursuance thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kennaday	Scudder
Badger	Daly	Krack	Seward
Barkley	Decker	Kshinka	Shattuck
Benediot	Ely	Law	Sherwood
Bennett	Fish	Lawrence	Silverman
Berry	Fream	Lillybridge	Slingerland
Bishop	Friend	Lincoln	Smith
Bordwell	Gallagher	Mackin	Stauf
Bowen	Gedney	McGowan	Stephens
Braman	Green	McGroarty	G. Taylor
Broas	Griffin	Merwin	Tremain
Brown	Hanrahan	Oakley	Vedder
Calkins	Hess	Page	Vosburgh
T. C. Campbell	Hinckley	Peck	Waehner
Christopher	Hogan	Petty	Wenzel
Clark	Holmes	Pierson	West
Cleary	Hussey	Ransom	Whitmore
Coffey	Husted	Roscoe	Witbeck
Comstock	W. Johnson	Sanford	Worth
Cooke	W. A. Johnson	Schenck	Wurts
Costigan	Keenan	Schieffelin	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Griffin introduced a bill entitled "An act to change the commissioners for the construction of a bridge across the Hudson river at or near the mouth of North Creek, in Warren county," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Vosburgh, from the committee of conference on the bill entitled "An act to amend an act entitled 'An act to establish regulations for the port of New York,' passed April 16, 1857," reported as follows: That having met and duly considered the same, have agreed to the amendments made by the Assembly, except as to the words "one mile east of sands," in line 11, and in lieu thereof have agreed to restore in their stead the words "or below Throggs."

JOHN A. KING,
A. P. LANING,
JAMES W. BOOTH,
Senate Committee.

F. W. VOSBURGH,
JNO. W. SMITH,
WM. H. CLARK,
W. H. CHRISTOPHER,
W. P. DAGGETT,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Schenck
Badger	Decker	Krack	Schieffelin
Barkley	Ely	Kshinka	Soudder
Beach	Farrar	Lawrence	Seward
Benedict	Faulkner	Lawson	Shattuck
Bennett	Fish	Lincoln	Sherwood
Berry	Gallagher	Mackin	Silverman
Bishop	Gedney	McAfee	Smith
Bowen	Green	McGowan	Speaker
Braman	Griffin	McGroarty	Stephens
Broas	Hanrahan	Merwin	Struble
Brogan	Hess	W. Miller	G. Taylor
Burtis	Hinckley	Muller	W. F. Taylor
Calkins	Hogan	Oakley	Tewksbury
T. C. Campbell	Holmes	Page	Tremain
T. J. Campbell	Houghton	Petty	Vedder
Clark	Hussey	Pierson	Vosburgh
Cleary	Husted	Prince	Waehner
Cole	W. Johnson	Ransom	West
Comstock	W. A. Johnson	Roscoe	Witbeck
Costigan	Keenan	Russell	Worth
Daggett	Kennaday	Sanford	Wurts

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

By unanimous consent, Mr. Speaker introduced a bill entitled "An act to authorize the city of Elmira to borrow money and issue bonds of the city therefor, in payment of the floating debt of said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Husted, Int. No. 389, entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Kennaday, Int. No. 890, entitled "An act to amend chapter 40 of the Laws of 1848, entitled "An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,' passed February 17, 1848," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Prince, Int. No. 813, entitled "An act to incorporate the New York Cheap Transportation Association," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Husted, Int. No. 581, entitled "An act to authorize the formation of corporations for the purpose of constructing and operating street railroads," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Middleton, Int. No. 112, entitled "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 25, 1874," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. King, Int. No. 88, entitled "An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. McGowan, Int. No. 849, entitled "An act to secure free exercise and enjoyment of religious profession and worship, without discrimination or preference, to all mankind confined in State prisons and other places of confinement," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schieffelin dissented from said report.

Mr. Kennaday moved that 250 extra copies of said bill be printed for the use of the Legislature.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By unanimous consent,

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Burtis, Int. No. 485, entitled "An act for the relief of the Cypress Hills cemetery, and authorizing its re-incorporation," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act for the relief of the Cypress Hills cemetery," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Hinckley, Int. No. 649, entitled "An act authorizing the religious denomination known as the

United Brethren in Christ to elect trustees at quarterly conference," reported in favor of the passage of a substituted bill entitled "An act to amend chapter 47 of the Laws of 1826, entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies,' passed April 5, 1813," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Sherman introduced a bill entitled "An act to incorporate the Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Fish introduced a bill entitled "An act regulating the charges of telegraph companies in this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Calkins introduced a bill entitled "An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, by unanimous consent, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Slingerland introduced a bill entitled "An act to incorporate the Bethlehem Mutual Insurance Association, and for other purposes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Also, by unanimous consent, presented papers on the same subject; which were read and referred to the same committee.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 894, entitled "An act to open and extend Morrell street, in the city of Brooklyn, from Flushing avenue to Broadway, and to open and extend Lewis avenue, in said city, from Floyd street to Broadway," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Whitmore, Int. No. 909, entitled "An act to provide for the election of a police constable in the village of McGrawville, Cortland county," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Schenck, Int. No. 251, entitled "An act to amend the charter of the village of Canajoharie, and to revise and consolidate the several acts relating thereto," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to reorganize the village of Canajoharie," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Schenck, Int. No. 819, entitled "An act to amend an act entitled 'An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county,' passed April 17, 1854," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 389 of the Laws of 1874, entitled 'An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county,'" which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Tewksbury, Int. No. 892, entitled "An act to amend chapter 51 of the Laws of 1871, entitled 'An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water, and to protect said village and the property therein against loss by fire,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Merwin, Int. No. 824, entitled "An act to amend an act entitled 'An act to amend chapter 290 of the Laws of 1870, entitled An act for the incorporation of villages,' passed March 5, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Schieffelin, Int. No. 859, entitled "An act to further amend an act passed May 21, 1873, entitled 'An act to amend chapter 291 of the Laws of 1870, entitled An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof, so far as the same relates to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the power of the corporation of said village, passed May 10, 1870, passed May 21, 1873," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to further amend chapter 776 of the Laws of 1870, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages,' passed December 7, 1847, and the several acts amendatory thereof so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Schenck, Int. No. 868, entitled "An act to regulate the fare upon the Fonda and Fultonville horse railroad," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Struble, Int. No. 247, entitled "An act regulating freights on the railroads of this State," reported adversely thereto.

Mr. Badger dissented from said report.

Mr. Struble moved to disagree with said report, and that said bill be committed to the committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 42 }
{ NOES 66 }

Those who voted in the affirmative, were

Badger	Fream	Lincoln	Soudder
Barkley	Gallagher	McAfee	Sherman
Barrow	Gedney	McGowan	Sherwood
Beardsley	Green	Peck	Stacy
Bishop	Hammond	Petty	Struble
Clark	Hinckley	Pierson	Vedder
Comstock	Hogan	Prince	Wellington
Daggett	Hussey	Roscoe	Whitmore
Davis	Ives	Russell	Willis
Dessar	Law	Schieffelin	Witbeck
Farrar	Lillybridge		

Those who voted in the negative, were

Alvord	Cole	Lawson	Shiel
Benedict	Costigan	Mackin	Silverman
Bennett	Decker	McGroarty	Slingerland
Berry	Fish	Merwin	Smith
Bordwell	Griffin	J. W. Milier	Stauf
Bowen	Hanrahan	Muller	Stephens
Braman	Hauschel	Oakley	G. Taylor
Broas	Hess	O'Keefe	W. F. Taylor
Brogan	Holmes	Page	Tewksbury
Brown	Husted	Pope	Tremain
Burtis	W. A. Johnson	Ransom	Vosburgh
Calkins	Keenan	Reilly	Wenzel
T. C. Campbell	Kennaday	Sanford	West
T. J. Campbell	Kirk	Schenck	Worth
Christopher	Krack	Seward	Wurts
Cleary	Kshinka	Shattuck	Yost
Coffey	Lawrence		

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Said bill was rejected.

By unanimous consent, Mr. Vosburgh (by request) introduced a bill entitled "An act authorizing the construction of a carriage and foot bridge across the Hudson river, and incorporating the Albany and Rensselaer Bridge Company," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent,

Mr. Faulkner, from the committee on insurance, to which was recommit-
mitted the bill introduced by Mr. McGowan, Int. No. 334, entitled "An
act to facilitate the closing up of insolvent and dissolved insurance com-
panies," retaining its place on general orders, reported in favor of the
passage of the same, with amendments, and the title amended so as to
read, "An act to facilitate the distribution of the property and effects of
the Electric Life Insurance Company and the American Tontine Life
Insurance Company," which report was agreed to, and said bill recom-
mitted to the committee of the whole.

The bill entitled "An act to amend an act entitled 'An act to regulate
processions and parades in the cities of the State of New York,' chap-
ter 590, Laws of 1872, passed May 7, 1872," being announced for a third
reading,

Mr. Alvord moved to recommit said bill to the committee on affairs
of cities.

Mr. Speaker put the question whether the House would agree to said
motion, and it was determined in the affirmative.

The Senate bill entitled "An act to extend the operation and effect of
the act passed February 17, 1848, entitled 'An act to authorize the for-
mation of corporations for manufacturing, mining, mechanical or chemi-
cal purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the
final passage of said bill, and it was determined in the affirmative, a
majority of all the members elected to the Assembly voting in favor
thereof.

{ AYES 71 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Krack	Scudder
Barkley	Farrar	Kshinka	Sherman
Barrow	Fish	Lawrence	Sherwood
Beardsley	Gallagher	Lawson	Shiel
Benedict	Gedney	Lincoln	Slingerland
Berry	Green	McAfee	Smith
Bordwell	Hanrahan	Merwin	Stauf
Bowen	Hauschel	J. W. Miller	G. Taylor
Braman	Hess	Oakley	Tewksbury
Brogan	Hinckley	Page	Tremain
Brown	Hogan	Peck	Vosburgh
Calkins	Holmes	Petty	Waehner
T. C. Campbell	Hussey	Pope	Wenzel
Clark	Husted	Ransom	Whitmore
Comstock	Ives	Roscoe	Witbeck
Cooke	W. Johnson	Russell	Worth
Costigan	W. A. Johnson	Schenck	Wurts
Decker	Kennaday	Schieffelin	

Ordered, That the Clerk return said bill to the Senate, with a mes-
sage informing that the Assembly have passed the same.

The Senate bill entitled "An act for continuing and regulating a ferry
across the Hudson river in the town of Phillipstown, in the county of
Putnam," being announced for a third reading,

¶ On motion of Mr. Christopher said bill was recommitted to the committee on commerce and navigation, with instructions to restore the 4th section and report forthwith.

Mr. Oakley, from said committee, reported back said bill as directed.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }
{ NOES 30 }

Those who voted in the affirmative, were

Alvord	Comstock	Ives	Roscoe
Badger	Cooke	W. Johnson	Sanford
Barkley	Costigan	Kennaday	Shattuck
Beach	Daggett	Kirk	Sherwood
Beardsley	Daly	Kshinka	Shiel
Benedict	Dessar	Law	Smith
Berry	Farrar	Lawrence	Speaker
Braman	Faulkner	Lawson	G. Taylor
Broas	Fish	Lincoln	W. F. Taylor
Brogan	Fream	Mackin	Tewksbury
Brown	Gallagher	McGowan	Vosburgh
Burtis	Hanrahan	McGroarty	Waehner
Calkins	Hauschel	Merwin	Wellington
T. C. Campbell	Hess	Muller	Wenzel
T. J. Campbell	Hogan	Oakley	Whitmore
Christopher	Holmes	Page	Wurts
Cleary	Husted	Petty	Yost
Cole			

Those who voted in the negative, were

Bishop	W. A. Johnson	Pope	Stauf
Bowen	Krack	Prince	Tremain
Clark	Lewis	Ransom	Vedder
Decker	Lillybridge	Russell	West
Gedney	McAfee	Scudder	Willis
Green	J. W. Miller	Seward	Witbeck
Hammond	W. Miller	Sherman	Worth
Hussey	Peck		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act in relation to the general terms of the supreme court," being announced for a third reading,

On motion of Mr. Holmes, and by unanimous consent, the word "department," in section , line 20, engrossed bill, was changed to "district."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Farrar	Lawson	Sherman
Badger	Fish	Lewis	Sherwood
Barkley	Gallagher	Lillybridge	Silverman
Barrow	Gedney	Lincoln	Slingerland
Benedict	Green	McGowan	Smith
Berry	Griffin	McGroarty	Stephens
Bordwell	Hammond	Merwin	Struble
Bowen	Hanrahan	Oakley	G. Taylor
Braman	Hauschel	O'Keefe	W. F. Taylor
Broas	Hinckley	Page	Tewksbury
Brogan	Hogan	Petty	Vosburgh
Calkins	Holmes	Pope	Waehner
T. C. Campbell	Husted	Ransom	Wellington
T. J. Campbell	Ives	Russell	Wenzel
Christopher	W. A. Johnson	Sanford	West
Clark	Kennaday	Schenck	Whitmore
Comstock	Kirk	Schieffelin	Willis
Cooke	Krack	Scudder	Worth
Daly	Kshinka	Seward	Wurts
Decker	Lawrence	Shattuck	Yost
Dessar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to provide for the further supply of the city of Brooklyn with water, and for the payment of the expense thereof,' passed February 18, 1871, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Husted	Schenck
Badger	Daggett	Ives	Scudder
Barkley	Decker	W. A. Johnson	Shattuck
Barrow	Dessar	Keenan	Sherwood
Beach	Ely	Kennaday	Silverman
Benedict	Farrar	Kirk	Slingerland
Berry	Fay	Krack	Speaker
Bordwell	Fream	Kshinka	Stauf
Bowen	Friend	Lawson	Talmage
Braman	Gallagher	Lewis	G. Taylor
Broas	Gedney	Lillybridge	W. F. Taylor
Brogan	Green	McGroarty	Waehner
Calkins	Griffin	Merwin	Wellington

T. C. Campbell	Hammond	J. W. Miller	Wenzel
T. J. Campbell	Hanrahan	Oakley	West
Christopher	Hess	O'Keefe	Whitmore
Clark	Hinckley	Petty	Willis
Cleary	Hogan	Prince	Witbeck
Coffey	Holmes	Ransom	Worth
Comstock	Houghton	Russell	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to fix the salaries of certain State officers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Daly	Krack	Schieffelin
Barkley	Davis	Kshinka	Seward
Benediot	Ely	Law	Shiel
Bishop	Farrar	Lawson	Silverman
Bordwell	Fream	McAfee	Slingerland
Bowen	Gedney	McGowan	Smith
Braman	Green	McGroarty	Speaker
Broas	Griffin	Merwin	Stauf
Brogan	Hammond	J. W. Miller	Stephens
Brown	Hanrahan	W. Miller	G. Taylor
Calkins	Hauschel	Muller	Tewksbury
T. C. Campbell	Hess	Oakley	Vosburgh
T. J. Campbell	Hinckley	O'Keefe	Wellington
Christopher	Husted	Page	Wenzel
Cleary	Ives	Petty	West
Coffey	W. A. Johnson	Pope	Witbeck
Cole	Keenan	Ransom	Worth
Comstock	Kennaday	Reilly	Wurts
Cooke	Kirk	Schenck	Yost
Costigan			

Those who voted in the negative, were

Beardsley	Hogan	Scudder	Whitmore
Clark	Roscoe	Sherwood	Willis
Daggett	Russell	Stacy	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Oakley offered for the consideration of the House a resolution, in the words following:

Resolved, That when this House adjourns to-day it adjourn to meet on Monday evening at 7½ o'clock.

Debate was had thereon, when

Mr. West moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Speaker, Int. No. , entitled "An act to authorize the city of Elmira to borrow and issue bonds of the city therefor in payment of the floating debt of said city," reported in favor of the passage of the same, which report was agreed to.

By unanimous consent, on motion of Mr. Alvord, said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Scudder
Badger	Dessar	Lawrence	Shattuck
Barkley	Ely	Lawson	Sherwood
Beach	Farrar	Mackin	Silverman
Beardsley	Friend	McAfee	Slingerland
Benedict	Gedney	McGowan	Smith
Bishop	Green	McGroarty	Stacy
Bowen	Hammond	Merwin	Stauf
Braman	Hanrahan	J. W. Miller	Struble
Brogan	Hauschel	W. Miller	G. Taylor
Calkins	Hess	Muller	W. F. Taylor
T. C. Campbell	Hinckley	Oakley	Tewksbury
T. J. Campbell	Hogan	Page	Vosburgh
Christopher	Holmes	Peck	Waehner
Clark	Houghton	Petty	Wenzel
Cleary	Husted	Ransom	West
Coffey	Ives	Reilly	Whitmore
Cole	W. A. Johnson	Roscoe	Witbeck
Comstock	Keenan	Russell	Worth
Cooke	Kennaday	Schenck	Wurts
Costigan	Kirk	Schieffelin	Yost
Daly	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Middleton, Int. No. 117, entitled "An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

The bill entitled "An act to repeal chapter 270 of the Laws of 1829,

entitled 'An act for the prevention of masquerades,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 4 }

Those who voted in the affirmative, were

Barkley	Comstock	W. A. Johnson	Schenck
Beach	Cooke	Keenan	Soudder
Beardsley	Costigan	Kennaday	Sherwood
Benedict	Daggett	Kirk	Silverman
Bennett	Daly	Kshinka	Smith
Bishop	Davis	McGowan	Speaker
Bowen	Decker	McGroarty	Stauf
Braman	Dessar	Merwin	Stephens
Broas	Ely	J. W. Miller	G. Taylor
Brogan	Farrar	Muller	Tewksbury
Brown	Fream	Oakley	Vosburgh
Calkins	Gallagher	O'Keefe	Wenzel
T. C. Campbell	Gedney	Page	West
T. J. Campbell	Green	Peck	Whitmore
Christopher	Griffin	Petty	Willis
Clark	Hanrahan	Pierson	Witbeck
Cleary	Hauschel	Ransom	Worth
Coffey	Hess	Reilly	Wurts
Cole	Ives	Roscoe	Yost

Those who voted in the negative, were

Alvord	Hammond	Hogan	W. Miller
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Brogan, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to legalize the annual town meeting held at the Salem hotel, in the town of Salem, county of Washington, the election, resolution and proceedings by said meeting, and all acts and proceedings in pursuance thereof."

"An act to amend chapter 773 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company.'"

"An act to give validity to the act of the president of the board of trustees of 1874, of the village of Nelsonville, in the county of Putnam, in administering the oath of office to the trustees elected at the annual election, and to confirm the official acts and proceedings of officers of preceding boards."

The bill entitled "An act in relation to coroners' fees and post-mortem examinations in Erie county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Dessar	Kirk	Scudder
Badger	Ely	Krack	Shattuck
Beach	Farrar	Kshinka	Sherwood
Beardsley	Fay	Lawrence	Shiel
Benedict	Fream	Lawson	Silverman
Bordwell	Gallagher	Lillybridge	Slingerland
Braman	Gedney	McAfee	Stauf
Broas	Griffin	McGowan	Stephens
Brogan	Hammond	McGroarty	G. Taylor
Brown	Hanrahan	Merwin	W. F. Taylor
Calkins	Hepburn	J. W. Miller	Tremain
T. C. Campbell	Hinckley	Oakley	Vosburgh
T. J. Campbell	Hogan	O'Keefe	Waehner
Clark	Holmes	Page	Wenzel
Cleary	Hussey	Peck	West
Cole	Husted	Petty	Willis
Comstock	Ives	Ransom	Witbeck
Costigan	W. A. Johnson	Roscoe	Worth
Daly	Keenan	Russell	Wurts
Decker	Kennaday	Schenck	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the village of Glens Falls to borrow money and issue bonds for the purpose of increasing its supply of water and extending its water-works," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kshinka	Scudder
Badger	Decker	Lawrence	Sherwood
Barkley	Dessar	Lawson	Shiel
Beach	Ely	Lillybridge	Silverman
Beardsley	Farrar	Lincoln	Slingerland
Bennett	Gallagher	McGowan	Smith
Bishop	Gedney	McGroarty	Speaker
Bowen	Green	Merwin	Stauf
Braman	Griffin	J. W. Miller	Stephens
Broas	Hanrahan	Muller	G. Taylor
Brogan	Hauschel	Oakley	W. F. Taylor
Calkins	Hess	O'Keefe	Tewksbury
T. C. Campbell	Hinckley	Page	Vosburgh
T. J. Campbell	Hogan	Peck	Wenzel
Christopher	Hussey	Petty	West

Clark	Husted	Pope	Whitmore
Cole	Ives	Ransom	Willis
Comstock	W. A. Johnson	Roscoe	Witbeck
Cooke	Kennaday	Russell	Worth
Costigan	Kirk	Schenck	Wurts
Daggett	Krack	Schieffelin	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the charter of the city of Brooklyn," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Sanford
Barkley	Decker	Kirk	Scudder
Beach	Ely	Lawson	Sherwood
Benedict	Farrar	Lewis	Silverman
Bennett	Fish	Mackin	Slingerland
Bordwell	Fream	McGowan	Smith
Bowen	Gallagher	McGroarty	Stauf
Braman	Gedney	Merwin	Stephens
Broas	Green	J. W. Miller	Talmage
Brogan	Griffin	W. Miller	G. Taylor
Calkins	Hammond	Muller	W. F. Taylor
T. C. Campbell	Hanrahan	Oakley	Tewksbury
T. J. Campbell	Hauschel	O'Keefe	Tremain
Christopher	Hess	Page	Wellington
Clark	Hogan	Petty	Wenzel
Cleary	Hussey	Pope	West
Cole	Husted	Ransom	Willis
Comstock	Ives	Reilly	Worth
Cooke	W. A. Johnson	Roscoe	Wurts
Costigan	Keenan	Russell	Yost
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 291 of the Laws of 1867, entitled 'An act to incorporate the city of Binghamton, and the several acts amending the same,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Scudder
Badger	Decker	Krack	Seward
Barkley	Dessar	Lawson	Shattuck
Beach	Ely	Lewis	Sherwood
Benediot	Fish	McGowan	Shiel
Bennett	Fream	McGroarty	Silverman
Bishop	Gallagher	Merwin	Slingerland
Bowen	Gedney	J. W. Miller	Speaker
Braman	Green	W. Miller	Stauf
Broas	Griffin	Muller	Stephens
Brogan	Hammond	Oakley	Talmage
Brown	Hanrahan	O'Keefe	G. Taylor
Calkins	Hauschel	Page	W. F. Taylor
T. C. Campbell	Hess	Peck	Tewksbury
T. J. Campbell	Hogan	Pope	Wenzel
Christopher	Hussey	Ransom	West
Clark	Husted	Roscoe	Whitmore
Coffey	Ives	Russell	Willis
Cole	W. A. Johnson	Schenck	Wurts
Comstock	Kennaday	Schieffelin	Yost
Costigan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Alvord offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting the return of Assembly bill No. 115, entitled "An act in relation to railroads," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate and request their concurrence therein.

The bill entitled "An act to amend chapter 134 of the Laws of 1851, entitled 'An act in relation to weights and measures,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Comstock	Keenan	Schieffelin
Badger	Cooke	Kennaday	Seward
Barkley	Costigan	Kirk	Shattuck
Barrow	Decker	Lawson	Sherwood
Beach	Dessar	McGowan	Silverman

Benedict	Ely	McGroarty	Slingerland
Bennett	Fream	Merwin	Smith
Bowen	Gallagher	J. W. Miller	Stauf
Braman	Gedney	Muller	Stephens
Broas	Green	Oakley	Talmage
Brogan	Griffin	O'Keefe	Tremain
Brown	Hanrahan	Peck	Vosburgh
Calkins	Hauschel	Petty	Waehner
T. C. Campbell	Hess	Pierson	Wenzel
T. J. Campbell	Hinckley	Pope	Whitmore
Christopher	Hogan	Prince	Worth
Clark	Husted	Ransom	Wurts
Cleary	Ives	Roscoe	Yost
Coffey	W. A. Johnson	Schenck	

Those who voted in the negative, were
 Russell Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the relief of the New York and Yonkers Fire Insurance Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 68 }
 { NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Lewis	Sherwood
Badger	Dessar	McAfee	Shiel
Barkley	Ely	McGowan	Silverman
Barrow	Fish	McGroarty	Slingerland
Benedict	Gallagher	Merwin	Stauf
Bennett	Green	J. W. Miller	Stephens
Bishop	Griffin	W. Miller	Talmage
Braman	Hanrahan	Oakley	G. Taylor
Broas	Hauschel	O'Keefe	W. F. Taylor
Brown	Hess	Page	Vosburgh
Calkins	Hinckley	Peck	Wenzel
T. C. Campbell	Hogan	Ransom	West
T. J. Campbell	Ives	Russell	Willis
Christopher	W. A. Johnson	Schenck	Witbeck
Clark	Kennaday	Schieffelin	Worth
Comstock	Kirk	Seward	Wurts
Cooke	Lawson	Shattuck	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Messrs. Farrar and Fay until Tuesday, and to Mr. Holmes until Monday evening.

The bill entitled "An act regulating the forfeiture of life insurance policies," being announced for a third reading,

By unanimous consent, on motion of Mr. Husted, said bill was amended as follows:

Section 1, line 4, engrossed bill, strike out all commencing with the word "until" down to and including the word "forfeited," in line 7. In line 15, strike out the words "the said." Line 16, after the word "on" insert the word "the," and change the word "premiums" to "premium," and insert after the word "premium" the word "due." Strike out the balance of said section after the word "agents," in line 17.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 69 }
{ NOES 7 }

Those who voted in the affirmative, were

Badger	Dessar	Mackin	Sherman
Barkley	Ely	McGroarty	Sherwood
Barrow	Fish	Merwin	Silverman
Beardsley	Gallagher	J. W. Miller	Slingerland
Benedict	Gedney	W. Miller	Smith
Bennett	Green	O'Keefe	Stauf
Bishop	Griffin	Peck	Stephens
Brogan	Hauschel	Pierson	Talmage
Brown	Hess	Pope	G. Taylor
Calkins	Hinckley	Prince	W. F. Taylor
T. J. Campbell	Hogan	Ransom	Vosburgh
Clark	Hussey	Roscoe	Waehner
Cole	W. A. Johnson	Russell	Wenzel
Comstock	Keenan	Schenck	Whitmore
Cooke	Kshinka	Schieffelin	Willis
Costigan	Lewis	Seward	Wurts
Daggett	Lincoln	Shattuck	Yost
Daly			

Those who voted in the negative, were

Alvord	Husted	Page	Speaker
T. C. Campbell	Oakley	Petty	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the city of Utica to provide a building for fire department purposes, and borrow and disburse money to pay for the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Lawson	Seward
Badger	Ely	Lincoln	Sherman

Barkley	Fish	Mackin	Silverman
Beach	Fream	McGowan	Smith
Benedict	Gallagher	McGroarty	Speaker
Bennett	Gedney	Merwin	Stephens
Bishop	Green	J. W. Miller	Talmage
Braman	Griffin	W. Miller	G. Taylor
Broas	Hanrahan	Muller	Tewksbury
Brogan	Hauschel	Oakley	Vosburgh
Calkins	Hess	Page	Waehner
T. C. Campbell	Hinckley	Petty	Wenzel
T. J. Campbell	Hogan	Pope	West
Clark	Husted	Ransom	Whitmore
Cleary	Ives	Roscoe	Willis
Cole	W. A. Johnson	Russell	Witbeck
Comstock	Keenan	Schenck	Worth
Costigan	Kennaday	Schieffelin	Wurts
Daly	Kirk	Scudder	Yost
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Page, at 1 o'clock and 30 minutes, the House adjourned.

MONDAY, APRIL 12, 1875.

The House met pursuant to adjournment.

Mr. Hammond in the chair.

Prayer by the Rev. Mr. McDonald.

The reading of the journal of Friday, the 9th inst., was dispensed with.

The Senate returned the bill entitled "An act to provide for the better care of pauper and destitute children," with a message informing of concurrence in the passage of the same, with the following amendment:

Strike out section 3.

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Friend	Lincoln	Sherman
Benedict	Gallagher	Mackin	Shiel
Bennett	Gedney	McAfee	Slingerland
Bordwell	Green	McGowan	Smith
Bowen	Hammond	Merwin	Stauf

Braman	Hanrahan	J. W. Miller	Stephens
Brogan	Hinckley	Muller	Struble
T. C. Campbell	Hogan	Page	Talmage
T. J. Campbell	Holmes	Peck	G. Taylor
Clark	Hussey	Pope	W. F. Taylor
Coffey	Husted	Ransom	Tremain
Cole	Ives	Rich	Vedder
Comstock	W. Johnson	Roscoe	Vosburgh
Cooke	Keenan	Russell	Wellington
Costigan	Kirk	Sanford	Wenzel
Daly	Krack	Schenck	West
Decker	Kshinka	Schieffelin	Whitmore
Dessar	Lawrence	Schuyler	Willis
Farrar	Lewis	Seward	Wurts
Faulkner	Lillybridge		

For the negative,

Hauschel

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

A message from the Senate was received and read, informing of non-concurrence in the passage of the bills entitled as follows:

"An act to annex to the city of Brooklyn the town of New Lots, and to provide for its government and control in said city."

"An act to authorize the transfer of moneys held in trust to non-resident guardians and others, and to repeal chapter 59 of the Laws of 1870, entitled 'An act to enable non-resident guardians to obtain property in this State belonging to their wards residing in other States or Territories of the United States.'"

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to authorize the several towns in this State to maintain certain actions against railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to amend chapter 265 of the Laws of 1848, entitled 'An act to provide for the incorporation and regulation of telegraph companies,' passed April 12, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act to incorporate the Hornellsville fire department," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled An act to prevent the adulteration of milk, and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

"An act to amend an act entitled 'An act to incorporate the city of Kingston,' passed March 29, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

Mr. Benedict moved to lay said order of business on the table for the purpose of taking up the orders of business, introduction of bills, reports of committees and general orders.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

{ AYES 59 }
{ NOES 39 }

Those who voted in the affirmative, were

Barkley	Daly	Kshinka	Scheiffelin
Beardsley	Dessar	Mackin	Schuyler
Benedict	Ely	McGowan	Sherman
Bennett	Faulkner	McGroarty	Shiel
Berry	Fish	Merwin	Silverman
Broas	Friend	J. W. Miller	Smith
Brogan	Hammond	Muller	Stauf
T C. Campbell	Hauschel	Oakley	Stephens
T. J. Campbell	Hogan	O'Keefe	Talmage
Christopher	Holmes	Page	G. Taylor
Cleary	Ives	Pierson	Vosburgh
Coffey	W. Johnson	Reilly	Waehner
Cole	Keenan	Rich	Wenzel
Cooke	Kennaday	Roscoe	Wurts
Costigan	Kirk	Schenck	

Those who voted in the negative, were

Alvord	Gallagher	Lillybridge	Stacy
Bordwell	Gedney	Lincoln	Struble
Bowen	Green	McAfee	W. F. Taylor
Braman	Hess	Peck	Tremain
Burtis	Hinckley	Pope	Vedder
Clark	Hussey	Ransom	Wellington
Comstock	Husted	Russell	West
Daggett	Krack	Sanford	Whitmore
Decker	Lawrence	Seward	Willis
Farrar	Lewis	Slingerland	

Pending the call of the roll, Mr. Fish asked to be excused from voting.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

By unanimous consent, Mr. Waehner offered for the consideration of the House a resolution, in the words following:

Whereas, The judiciary committee was directed by resolution of this House to inquire into an alleged tampering with the supply bill of 1874; and,

Whereas, The said investigation necessitates the employment of counsel and of a stenographer; therefore,

Resolved, That the appointment of counsel and of a stenographer by the sub-committee of said committee be and the same is hereby authorized.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Seward
Barkley	Dessar	Lawrence	Sherman
Beardsley	Ely	Lillybridge	Shiel
Benedict	Farrar	Lincoln	Silverman
Bennett	Faulkner	Mackin	Slingerland
Berry	Friend	McGowan	Smith
Bordwell	Gallagher	McGroarty	Stacy
Bowen	Gedney	Merwin	Stauf
Braman	Green	Muller	Struble
Broas	Hammond	Oakley	Talmage
Brogan	Hauschel	O'Keefe	G. Taylor
T. C. Campbell	Hess	Page	W. F. Taylor
T. J. Campbell	Hinckley	Peck	Tremain
Christopher	Hogan	Pierson	Vedder
Clark	Holmes	Ransom	Vosburgh
Coffey	Husted	Roscoe	Waehner
Cole	W. Johnson	Russell	Wenzel
Cooke	Keenan	Schenck	West
Costigan	Kennaday	Schieffelin	Whitmore
Daly	Kirk	Schuyler	Willis

By unanimous consent, Mr. Waehner introduced a bill entitled "An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortion and other like offenses, and to amend the laws relative thereto,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

The bill entitled "An act to amend an act entitled 'An act for the relief of the surviving members of the First Regiment of New York Volunteers, who served in the war with Mexico,'" was read a third time.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Schieffelin
Barkley	Dessar	Lawrence	Schuyler
Beardsley	Ely	Lewis	Seward
Benedict	Farrar	Lillybridge	Sherman
Bennett	Faulkner	Lincoln	Shiel
Bordwell	Friend	Mackin	Slingerland
Bowen	Gallagher	McAfee	Smith
Braman	Gedney	McGowan	Speaker
Broas	Green	McGroarty	Stacy
Brogan	Hammond	Merwin	Stauf
Burtis	Hanrahan	J. W. Miller	Struble
T. C. Campbell	Hauschel	Muller	Talmage
T. J. Campbell	Hess	Oakley	G. Taylor
Christopher	Hinckley	O'Keefe	W. F. Taylor
Clark	Hogan	Page	Tremain
Cleary	Holmes	Peck	Vedder
Coffey	Hussey	Pierson	Vosburgh
Cole	Husted	Pope	Waehner
Comstock	Ives	Reilly	Wellington
Cooke	W. Johnson	Rich	Wenzel
Costigan	Keenan	Roscoe	West
Daggett	Kennaday	Sanford	Willis
Daly	Kirk	Schenck	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the board of supervisors of the county of Westchester to build an insane asylum," being announced for a third reading,

On motion of Mr. Husted, said bill was recommitted to the committee on general laws, retaining its place on the calendar of third reading of bills.

The Senate bill entitled "An act to amend an act entitled 'An act to empower the board of water commissioners of the city of Buffalo, together with the common council of said city, to establish or designate public hydrants in said city, and providing for the appointment of water commissioners in said city,' passed June 25, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Schenck
Barrow	Dessar	Kshinka	Schieffelin
Beardsley	Ely	Lawrence	Schuyler
Benedict	Farrar	Lewis	Seward

Berry	Faulkner.	Lincoln	Shiel
Bowen	Fish	Mackin	Silverman
Braman	Friend	McGowan	Slingerland
Broas	Gallagher	McGroarty	Smith
Brogan	Gedney	Merwin	Stauf
Calkins	Hammond	J. W. Miller	Stephens
T. C. Campbell	Hanrahan	Muller	Struble
T. J. Campbell	Hauschel	Oakley	Talmage
Christopher	Hess	O'Keefe	G. Taylor
Clark	Hinckley	Page	W. F. Taylor
Coffey	Hussey	Peck	Tremain
Cole	Husted	Pope	Vosburgh
Comstock	Ives	Ransom	Waehner
Cooke	W. Johnson	Rich	Wenzel
Daggett	Keenan	Russell	West
Daly	Kirk	Sanford	Willis

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act amending an act giving the consent of the State of New York to the purchase by the United States of certain property in the counties of Queens and Richmond, and to cede to the United States the jurisdiction thereof, passed April 15, 1857," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Lawrence	Schenck
Barkley	Dessar	Lewis	Schieffelin
Beardsley	Ely	Lillybridge	Schuyler
Benedict	Farrar	Lincoln	Shattuck
Bennett	Faulkner	Mackin	Sherman
Berry	Fay	McAfee	Shiel
Bishop	Friend	McGowan	Smith
Bordwell	Gallagher	McGroarty	Speaker
Bowen	Green	Merwin	Stauf
Braman	Hanrahan	J. W. Miller	Stephens
Brogan	Hauschel	Muller	Struble
Burtis	Hess	Oakley	Talmage
Calkins	Hinckley	O'Keefe	G. Taylor
T. C. Campbell	Hogan	Page	W. F. Taylor
T. J. Campbell	Holmes	Peck	Tremain
Christopher	Hussey	Pierson	Vosburgh
Clark	Husted	Pope	Waehner
Cole	Ives	Ransom	Wellington
Comstock	Keenan	Rich	Wenzel
Cooke	Kennaday	Roscoe	West
Costigan	Kirk	Russell	Whitmore
Daggett	Kshinka	Sanford	Willis
Daly			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor for the return of Assembly bill No. 115, entitled "An act in relation to railroads," for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate bill entitled "An act to amend an act entitled 'An act to incorporate the Elmira Park Association,' passed April 13, 1871, and to repeal chapter 329 of the Laws of 1872," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 72 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Ives	Schenck
Barkley	Daggett	Kennaday	Schieffelin
Beardsley	Daly	Kirk	Schuyler
Benedict	Decker	Kshinka	Seward
Bennett	Dessar	Lawrence	Sherman
Berry	Ely	Lillybridge	Shiel
Bordwell	Farrar	Lincoln	Speaker
Braman	Faulkner	Mackin	Stauf
Broas	Friend	McGowan	Stephens
Brogan	Gallagher	McGroarty	Struble
Burtis	Gedney	J. W. Miller	Talmage
Calkins	Green	Muller	G. Taylor
T. C. Campbell	Hanrahan	Oakley	W. F. Taylor
T. J. Campbell	Hauschel	Page	Vosburgh
Christopher	Hinckley	Pope	Waehner
Clark	Hogan	Ransom	Wenzel
Cole	Holmes	Rich	West
Comstock	Husted	Roscoe	Whitmore

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to reduce rates of ferriage on certain ferry routes between the city of New York and the seventeenth ward of the city of Brooklyn, and to establish rates of ferriage thereon, and to regulate the running of said ferries," being announced for a third reading,

By unanimous consent, on motion of Mr. Alvord, said bill was amended by striking out section 4.

By unanimous consent, on motion of Mr. Silverman, said bill was amended by changing numbers of subsequent sections, and making section 5 read "This act shall take effect immediately."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof. •

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Lawrence	Seward
Barkley	Dessar	Lillybridge	Sherman
Beardsley	Ely	Lincoln	Shiel
Benedict	Farrar	Mackin	Silverman
Bennett	Faulkner	McGowan	Speaker
Berry	Fream	McGroarty	Stauf
Bowen	Gallagher	Merwin	Stephens
Braman	Green	J. W. Miller	Struble
Broas	Hammond	Oakley	Talmage
Burtis	Hanrahan	Page	G. Taylor
Calkins	Hepburn	Peck	W. F. Taylor
T. C. Campbell	Hess	Pope	Tremain
T. J. Campbell	Hinckley	Ransom	Vedder
Christopher	Hogan	Rich	Vosburgh
Clark	Holmes	Roscoe	Waehner
Coffey	Husted	Sanford	Wenzel
Cole	Ives	Schenok	West
Cooke	Keenan	Schieffelin	Whitmore
Costigan	Kirk	Scudder	Willis
Daggett	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city from the west line of the Culver road, so called, to the east line thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kirk	Schieffelin
Barkley	Ely	Kshinka	Schuyler
Beardsley	Farrar	Lawrence	Seward
Benedict	Faulkner	Lillybridge	Sherman
Berry	Fish	Lincoln	Shiel
Bishop	Friend	Mackin	Smith
Bordwell	Gallagher	McGowan	Speaker
Braman	Green	McGroarty	Stauf
Broas	Griffin	Merwin	Stephens
Brown	Hammond	J. W. Miller	Struble
Calkins	Hanrahan	Muller	Talmage
T. C. Campbell	Hauschel	Oakley	G. Taylor

T. J. Campbell	Hess	O'Keefe	W. F. Taylor
Christopher	Hinckley	Page	Vedder
Clark	Hogan	Pope	Vosburgh
Cole	Holmes	Ransom	Waehner
Cooke	Husted	Rich	Wenzel
Costigan	Ives	Russell	West
Daly	Keenan	Sanford	Whitmore
Decker	Kennaday	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas-light companies,'" as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Kshinka	Seward
Barkley	Ely	Lawrence	Sherman
Beardsley	Farrar	Lincoln	Shiel
Benedict	Faulkner	Mackin	Silverman
Berry	Fish	McGowan	Smith
Bordwell	Friend	McGroarty	Speaker
Braman	Gallagher	Merwin	Stauf
Broas	Green	J. W. Miller	Stephens
Brogan	Hammond	Muller	Talmage
Calkins	Hanrahan	Oakley	G. Taylor
T. C. Campbell	Hauschel	Page	Tewksbury
T. J. Campbell	Hess	Pope	Vedder
Christopher	Hinckley	Ransom	Vosburgh
Clark	Hogan	Rich	Waehner
Cole	Husted	Roscoe	Wellington
Cooke	Ives	Russell	West
Costigan	W. Johnson	Schenck	Whitmore
Daly	Kirk	Schieffelin	Willis
Decker	Krack	Schuyler	Wurts

Ordered. That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

On motion of Mr. Oakley,

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting the return of Assembly bill No. 180, entitled 'An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent the taking of fish from Summer Hill lake, its inlet or outlet, in the town of Summer Hill, in the county of Cayuga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Krack	Schenck
Barkley	Ely	Kshinka	Schieffelin
Beardsley	Farrar	Lawrence	Seward
Benedict	Faulkner	Lewis	Sherman
Berry	Fish	Lillybridge	Shiel
Bishop	Friend	Lincoln	Silverman
Braman	Gallagher	Mackin	Slingerland
Broas	Gedney	McAfee	Smith
Brogan	Green	McGowan	Speaker
Burtis	Hammond	McGroarty	Stauf
Calkins	Hanrahan	Merwin	Stephens
T. C. Campbell	Hauschel	J. W. Miller	Struble
T. J. Campbell	Hess	Muller	Talmage
Christopher	Hinckley	Oakley	G. Taylor
Clark	Hogan	Page	Vedder
Cleary	Holmes	Pope	Vosburgh
Cole	Husted	Ransom	Waehner
Comstock	Ives	Reilly	Wenzel
Cooke	W. Johnson	Rich	West
Costigan	Kennaday	Russell	Whitmore
Daly	Kirk	Sanford	Wurts
Decker			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplementary to chapter 511 of the Laws of 1874, entitled 'An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Schuyler
Barkley	Dessar	Krack	Seward
Beardsley	Ely	Kshinka	Sherman
Benedict	Farrar	Lewis	Sherwood
Berry	Faulkner	Lillybridge	Slingerland
Bordwell	Fream	Lincoln	Smith
Braman	Gallagher	McGowan	Speaker
Broas	Gedney	McGroarty	Stauf

Brogan	Griffin	Merwin	Stephens
Burtis	Hammond	J. W. Miller	Struble
Calkins	Hanrahan	Muller	Talmage
T. C. Campbell	Hauschel	Oakley	G. Taylor
T. J. Campbell	Hess	Page	Tremain
Christopher	Hinckley	Pope	Vedder
Clark	Hogan	Ransom	Vosburgh
Cleary	Hussey	Reilly	Waehner
Cole	Husted	Rich	Wellington
Cooke	Ives	Russell	Wenzel
Costigan	W. Johnson	Sanford	West
Daggett	Keenan	Schenck	Whitmore
Daly	Kennaday	Schieffelin	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 232 of the Laws of 1854, entitled 'An act for the incorporation of companies formed to navigate the lakes and rivers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Schuyler
Barkley	Dessar	Krack	Seward
Beardsley	Ely	Kshinka	Sherman
Benedict	Farrar	Lawrence	Silverman
Bennett	Faulkner	Lewis	Slingerland
Berry	Fish	Lillybridge	Smith
Bowen	Gallagher	Lincoln	Speaker
Braman	Gedney	Mackin	Stauf
Broas	Griffin	McGowan	Stephens
Brogan	Hammond	McGroarty	Struble
Burtis	Hanrahan	J. W. Miller	Talmage
Calkins	Hauschel	Muller	G. Taylor
T. C. Campbell	Hess	Oakley	Tewksbury
T. J. Campbell	Hinckley	Page	Vedder
Christopher	Hogan	Pope	Vosburgh
Clark	Hussey	Ransom	Waehner
Cleary	Husted	Reilly	Wellington
Cole	Ives	Roscoe	Wenzel
Comstock	W. Johnson	Russell	West
Costigan	Keenan	Sanford	Willis
Daly	Kennaday	Schenck	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Schieffelin,

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor requesting the return of Assembly bill No.

178, entitled "An act to amend an act entitled 'An act to incorporate the village of Portchester,'" for amendment.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the use of the dock or pier at the foot of Jersey street, in the village of New Brighton, in Richmond county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Kshinka	Schuyler
Barkley	Farrar	Lawrence	Seward
Beardsley	Faulkner	Lillybridge	Sherman
Benedict	Fish	Lincoln	Shiel
Berry	Gallagher	Mackin	Silverman
Bowen	Gedney	McAfee	Smith
Braman	Griffin	McGowan	Speaker
Broas	Hammond	McGroarty	Stephens
Brogan	Hanrahan	Merwin	Struble
Burtis	Hauschel	J. W. Milier	Talmage
Calkins	Hess	Oakley	G. Taylor
T. C. Campbell	Hinckley	O'Keefe	Tewksbury
T. J. Campbell	Hogan	Page	Vedder
Christopher	Husted	Pope	Vosburgh
Cleary	Ives	Ransom	Waehner
Cole	W. Johnson	Rich	Wellington
Comstock	Keenan	Roscoe	Wenzel
Costigan	Kennaday	Sanford	West
Daly	Kirk	Schenck	Willis
Decker	Krack	Schieffelin	Wurts
Dessar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 778 of the Laws of 1867, entitled 'An act to amend the charter of the Brooklyn Life Insurance Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Seward
Barkley	Dessar	Lawrence	Sherman

Beardsley	Ely	Lewis	Shiel
Benedict	Farrar	Lincoln	Slingerland
Berry	Faulkner	Mackin	Smith
Bishop	Fish	McGowan	Speaker
Bowen	Gallagher	McGroarty	Stauf
Braman	Green	Merwin	Stephens
Broas	Griffin	Muller	Talmage
Brogan	Hammond	Oakley	G. Taylor
Bartis	Hanrahan	Page	Tremain
Calkins	Hepburn	Pope	Vedder
T. C. Campbell	Hess	Ransom	Vosburgh
T. J. Campbell	Hinokley	Rich	Waehner
Christopher	Hogan	Roscoe	Wellington
Clark	Husted	Russell	Wenzel
Cole	Ives	Sanford	West
Cooke	W. Johnson	Schenck	Willis
Costigan	Keenan	Schieffelin	Wurts
Daly	Kirk		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend and supplementary to chapter 362 of the Laws of 1872, entitled 'An act to incorporate the Mutual Trust Institution of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Seward
Barkley	Ely	Lawrence	Sherman
Beardsley	Farrar	Lewis	Shiel
Benedict	Faulkner	Lincoln	Silverman
Bennett	Fish	Mackin	Slingerland
Berry	Friend	McAfee	Smith
Bishop	Gedney	McGroarty	Speaker
Bordwell	Green	Merwin	Stauf
Bowen	Griffin	J. W. Miller	Struble
Braman	Hanrahan	Oakley	Talmage
Burtis	Hauschel	O'Keefe	G. Taylor
Calkins	Hess	Page	Tremain
T. J. Campbell	Hinckley	Peck	Vedder
Christopher	Hogan	Pope	Vosburgh
Clark	Holmes	Rich	Waehner
Cole	Hussey	Roscoe	Wellington
Comstock	Husted	Sanford	Wenzel
Cooke	Ives	Schenck	Whitmore
Costigan	W. Johnson	Schieffelin	Willis
Daggett	Kennaday	Schuyler	Wurts
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the lighting of public streets and avenues in the town of Fishkill, county of Dutchess," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Schieffelin
Barkley	Decker	Kirk	Schuyler
Beardsley	Dessar	Kshinka	Seward
Berry	Ely	Lawrence	Shattuck
Bishop	Farrar	Lewis	Sherman
Bordwell	Fish	Lincoln	Silverman
Bowen	Friend	Mackin	Slingerland
Braman	Gedney	McGroarty	Smith
Brogan	Green	J. W. Miller	Speaker
Calkins	Griffin	Muller	Stauf
T. C. Campbell	Hanrahan	Oakley	Struble
T. J. Campbell	Hauschel	O'Keefe	Talmage
Christopher	Hinckley	Page	G. Taylor
Clark	Hogan	Pierson	Tremain
Coffey	Hussey	Pope	Vosburgh
Cole	Husted	Ransom	Waehner
Comstock	Ives	Rich	Wenzel
Cooke	W. Johnson	Russell	West
Costigan	Keenan	Schenck	Wurts
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate coroners' inquests in the city and county of New York, and to provide for the payment of services rendered by scientific persons as experts," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Ely	Kirk	Schieffelin
Beardsley	Farrar	Kshinka	Schuyler
Benedict	Faulkner	Lewis	Seward
Berry	Fish	Lillybridge	Shattuck
Bishop	Friend	Lincoln	Sherman
Bordwell	Gallagher	Mackin	Shiel
Braman	Gedney	McAfee	Slingerland

Burtis	Green	McGowan	Smith
Calkins	Griffin	McGroarty	Speaker
T. C. Campbell	Hammond	Merwin	Stauf
T. J. Campbell	Hanrahan	J. W. Miller	Stephens
Christopher	Hauschel	Muller	Struble
Clark	Hess	Oakley	Talmage
Coffey	Hinckley	O'Keefe	G. Taylor
Cole	Hogan	Page	Vosburgh
Comstock	Holmes	Pierson	Waehner
Cooke	Hussey	Ransom	Wenzel
Costigan	Husted	Reilly	West
Daggett	Ives	Rich	Whitmore
Daly	W. Johnson	Roscoe	Willis
Decker	Kennaday	Schenck	Wurts
Dessar			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled 'An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt Street and Erie Basin Railroad Company,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 53 }
{ NOES 31 }

Those who voted in the affirmative, were

Beardsley	Fish	Krack	Schuyler
Bennett	Friend	Kshinka	Shattuck
Berry	Gallagher	Lawrence	Shiel
Braman	Griffin	Lewis	Silverman
Broas	Hanrahan	McGowan	Smith
Brogan	Hauschel	Merwin	Speaker
T. J. Campbell	Hess	Muller	Stauf
Christopher	Hinckley	Oakley	Talmage
Coffey	Hogan	O'Keefe	G. Taylor
Cooke	Holmes	Pierson	Vosburgh
Costigan	Hussey	Ransom	Waehner
Dessar	W. Johnson	Rich	Wenzel
Farrar	Keenan	Schenck	Wurts
Faulkner			

Those who voted in the negative, were

Alvord	Decker	Lincoln	Russell
Benedict	Gedney	Mackin	Schieffelin
Bishop	Green	McAfee	Seward
Calkins	Hammond	J. W. Miller	W. F. Taylor
T. C. Campbell	Husted	Page	West
Clark	Ives	Peck	Whitmore
Comstock	Kennaday	Pope	Willis
Daggett	Lillybridge	Roscoe	

Mr. Coffey moved to reconsider the vote just taken, and that that motion lay on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to prevent the mutilation of shade trees," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 70 }
{ NOES 8 }

Those who voted in the affirmative, were

Barkley	Friend	Lillybridge	Sohnyler
Benedict	Gallagher	Lincoln	Shattuck
Berry	Gedney	Mackin	Sherman
Bordwell	Griffin	McGowan	Shiel
Brogan	Hammond	J. W. Miller	Silverman
Burtis	Hanrahan	Muller	Smith
Calkins	Hauschel	O'Keefe	Speaker
T. C. Campbell	Hess	Page	Stauf
T. J. Campbell	Hinckley	Peck	Struble
Christopher	Hogan	Pierson	Talmage
Clark	Holmes	Ransom	G. Taylor
Cooke	Husted	Reilly	W. F. Taylor
Costigan	Ives	Rich	Vosburgh
Daggett	Kennaday	Roscoe	Waehner
Dessar	Kirk	Russell	Wellington
Farrar	Kshinka	Schenck	Wenzel
Faulkner	Lawrence	Schieffelin	Wurts
Fish	Lewis		

Those who voted in the negative, were

Alvord	Bowen	Pope	West
Bishop	Green	Seward	Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburg,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868 and chapter 360 of the Laws of 1871," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daggett	Keenan	Schenck
Barkley	Daly	Kennaday	Schieffelin
Beardsley	Decker	Krack	Schuyler
Benedict	Ely	Lawrence	Shattuck
Bennett	Farrar	Lewis	Sherman
Berry	Fish	Lillybridge	Silverman
Bordwell	Friend	Lincoln	Slingerland
Braman	Gallagher	Mackin	Smith
Broas	Gedney	McGowan	Speaker
Brogan	Green	J. W. Miller	Stauf
Burtis	Griffin	Muller	Struble
Calkins	Hanrahan	Oakley	Talmage
T. C. Campbell	Hauschel	O'Keefe	G. Taylor
T. J. Campbell	Hess	Page	W. F. Taylor
Christopher	Hinckley	Peck	Vosburgh
Coffey	Hogan	Pierson	Wenzel
Cole	Holmes	Ransom	West
Comstock	Hussey	Rich	Whitmore
Cooke	Ives	Roscoe	Wurts
Costigan			

For the negative,

Hammond

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 496 of the Laws of 1859, entitled 'An act in relation to the compensation of justices of sessions,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 66 }
{ NOES 24 }

Those who voted in the affirmative, were

Alvord	Costigan	Lewis	Schenck
Barkley	Daly	Lincoln	Schieffelin
Beardsley	Faulkner	Mackin	Sherman
Benedict	Fish	McAfee	Shiel
Bennett	Gallagher	McGowan	Silverman
Berry	Hammond	McGroarty	Slingerland
Bishop	Hauschel	Merwin	Smith
Braman	Hess	J. W. Miller	Speaker
Broas	Hinckley	Muller	Stacy
Brogan	Holmes	Oakley	Stauf
Burtis	Hussey	O'Keefe	Stephens
Calkins	Husted	Page	Struble

T. C. Campbell	Ives	Pierson	Talmage
T. J. Campbell	Keenan	Pope	Vosburgh
Christopher	Kennaday	Ransom	Waehner
Coffey	Kirk	Rich	Wellington
Cole	Krack		

Those who voted in the negative, were

Bordwell	Ely	Lillybridge	Shattuck
Bowen	Farrar	Peck	G. Taylor
Clark	Friend	Roscoe	Wenzel
Comstock	Green	Russell	West
Cooke	Griffin	Schuyler	Whitmore
Decker	Hogan	Seward	Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to regulate the sale of baled hay and straw in the State of New York," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }
{ NOES 16 }

Those who voted in the affirmative, were

Alvord	Ely	Lillybridge	Sherman
Barkley	Farrar	Lincoln	Silverman
Benedict	Faulkner	Mackin	Slingerland
Berry	Fish	Merwin	Speaker
Bishop	Friend	J. W. Miller	Stephens
Bordwell	Gallagher	Muller	Struble
Bowen	Green	Oakley	Talmage
Braman	Griffin	Page	G. Taylor
Broas	Hanrahan	Peck	W. F. Taylor
Burtis	Hinckley	Pierson	Vedder
Calkins	Hogan	Pope	Vosburgh
T. J. Campbell	Holmes	Ransom	Waehner
Christopher	Hussey	Rich	Wellington
Clark	Husted	Roscoe	Wenzel
Coffey	Ives	Russell	West
Comstock	Kennaday	Schenck	Whitmore
Cooke	Krack	Schuyler	Willis
Daggett	Lawrence	Shattuck	Wurts
Decker	Lewis		

Those who voted in the negative, were

Brogan	Dessar	Keenan	O'Keefe
T. C. Campbell	Gedney	McAfee	Seward
Costigan	Hauschel	McGowan	Smith
Daly	Hess	McGroarty	Stauf

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to amend chapter 248 of the Laws of 1872, entitled 'An act to authorize the formation, establishing and maintaining of driving park and park associations,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Lawrence	Schuyler
Barkley	Farrar	Lewis	Seward
Benedict	Faulkner	Lillybridge	Sherman
Bennett	Fish	Lincoln	Shiel
Berry	Friend	Mackin	Slingerland
Bishop	Gallagher	McGowan	Smith
Bordwell	Gedney	McGroarty	Speaker
Bowen	Green	Merwin	Stauf
Braman	Griffin	J. W. Miller	Stephens
Broas	Hammond	Oakley	Struble
Brogan	Hanrahan	O'Keefe	Talmage
Calkins	Hauschel	Page	G. Taylor
T. C. Campbell	Hess	Pierson	W. F. Taylor
T. J. Campbell	Hinckley	Pope	Vedder
Christopher	Hogan	Ransom	Vosburgh
Clark	Holmes	Rich	Waehner
Comstock	Husted	Russell	Wenzel
Costigan	Ives	Schenck	West
Daly	Kennaday	Schieffelin	Whitmore
Decker	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the increase of the capital stock of the Staten Island Bridge Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Schieffelin
Barkley	Decker	Krack	Schuyler
Barrow	Ely	Lawrence	Shattuck
Benedict	Farrar	Lillybridge	Sherman
Berry	Faulkner	Lincoln	Shiel
Bishop	Fish	McAfee	Slingerland
Bordwell	Friend	McGowan	Smith
Bowen	Gallagher	McGroarty	Stacy

Braman	Gedney	Merwin	Stauf
Broas	Green	J. W. Miller	Stephens
Brogan	Griffin	Muller	Struble
Burtis	Hammond	Oakley	Talmage
Calkins	Hanrahan	O'Keefe	G. Taylor
T. C. Campbell	Hess	Page	W. F. Taylor
T. J. Campbell	Hinckley	Peck	Tremain
Christopher	Hogan	Pierson	Vosburgh
Clark	Holmes	Ransom	Waehner
Cole	Hussey	Rich	Wenzel
Comstock	Husted	Roscoe	Whitmore
Cooke	Ives	Russell	Willis
Costigan	Keenan	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the prevention of adulteration of food, drink and drugs," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 3 }

Those who voted in the affirmative, were

Alvord	Cooke	Lewis	Shattuck
Barkley	Costigan	Lillybridge	Sherman
Beardsley	Daggett	Lincoln	Shiel
Benedict	Decker	McAfee	Slingerland
Bennett	Farrar	McGowan	Smith
Berry	Friend	McGroarty	Speaker
Bishop	Gallagher	Merwin	Stephens
Bordwell	Gedney	J. W. Miller	Struble
Bowen	Green	Muller	Talmage
Braman	Griffin	O'Keefe	G. Taylor
Broas	Hammond	Page	Tremain
Brogan	Hinckley	Pierson	Vedder
Burtis	Hogan	Rich	Waehner
Calkins	Holmes	Roscoe	Wellington
T. C. Campbell	Hussey	Russell	Wenzel
T. J. Campbell	Husted	Schenck	West
Christopher	Ives	Schieffelin	Whitmore
Clark	Kennaday	Schuyler	Willis
Comstock	Kirk	Seward	

Those who voted in the negative, were

Cole	Faulkner	Stacy
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 426 of the Laws of 1867, entitled 'An act to amend chapter 600 of the Laws of 1865, passed April 28, 1865, entitled An act to amend an act entitled An act in rela

tion to the compensation of the several officers of State prisons,' passed April 23, 1864,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Comstock	Holmes	Russell
Barkley	Cooke	Hussey	Schenck
Benedict	Costigan	Husted	Schuyler
Bennett	Daly	Kennaday	Seward
Berry	Ely	Krack	Shattuck
Bishop	Farrar	Kshinka	Sherman
Bordwell	Faulkner	Lewis	Shiel
Bowen	Fay	Lincoln	Slingerland
Braman	Fish	McAfee	Stauf
Broas	Friend	McGowan	Stephens
Brogan	Gallagher	McGroarty	Struble
Burtis	Gedney	Merwin	Talmage
Calkins	Green	J. W. Miller	G. Taylor
T. C. Campbell	Griffin	Muller	W. F. Taylor
T. J. Campbell	Hanrahan	Page	Tremain
Christopher	Hauschel	Pierson	Vedder
Clark	Hess	Ransom	Waehner
Cole	Hinckley	Rich	West

Those who voted in the negative, were

Daggett	Ives	Kirk	Stacy
Decker	Keenan	Roscoe	Whitmore
Hogan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to conform the charters of all savings banks, or institutions for savings, to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," being announced for a third reading,

Mr. T. C. Campbell moved to recommit said bill to the committee on banks, retaining its place on the calendar of third reading of bills, and on that motion moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 57 }
{ NOES 33 }

Those who voted in the affirmative, were

Barkley	Faulkner	McGowan	Schuyler
Beardsley	Friend	McGroarty	Shattuck

Benedict	Griffin	Merwin	Sherman
Bennett	Hammond	J. W. Miller	Shiel
Berry	Hauschel	Muller	Silverman
Brogan	Hogan	Oakley	Smith
T. C. Campbell	Holmes	O'Keefe	Speaker
T. J. Campbell	Ives	Page	Stauf
Christopher	W. A. Johnson	Pierson	Stephens
Cole	Keenan	Reilly	Talmage
Cooke	Kennaday	Rich	G. Taylor
Costigan	Kirk	Roscoe	Vosburgh
Daly	Kshinka	Schenck	Waehner
Dessar	Mackin	Schieffelin	Wurts
Ely			

Those who voted in the negative, were

Alvord	Decker	Husted	Slingerland
Bishop	Farrar	Lillybridge	Struble
Bordwell	Gallagher	Lincoln	W. F. Taylor
Bowen	Gedney	McAfee	Tremain
Braman	Green	Peck	Vedder
Burtis	Hess	Pope	West
Calkins	Hinckley	Russell	Whitmore
Clark	Hussey	Seward	Willis
Comstock			

Mr. Speaker then put the question whether the House would agree to said motion of Mr. T. C. Campbell, and it was determined in the affirmative.

{ AYES 60 }
{ NOES 34 }

Those who voted in the affirmative, were

Barkley	Faulkner	Mackin	Schieffelin
Beardsley	Friend	McGowan	Schuyler
Benedict	Griffin	McGroarty	Sherman
Bennett	Hammond	Merwin	Shiel
Berry	Hauschel	J. W. Miller	Silverman
Brogan	Hogan	Muller	Smith
T. C. Campbell	Holmes	Oakley	Speaker
T. J. Campbell	Husted	O'Keefe	Stauf
Christopher	Ives	Page	Stephens
Cole	Keenan	Pierson	Talmage
Cooke	Kennaday	Ransom	G. Taylor
Costigan	Kirk	Reilly	Vosburgh
Daly	Krack	Rich	Waehner
Dessar	Kshinka	Roscoe	Wenzel
Ely	Lewis	Schenck	Wurts

Those who voted in the negative, were

Alvord	Comstock	Hussey	Struble
Bishop	Daggett	Lincoln	W. F. Taylor
Bordwell	Decker	McAfee	Tremain
Bowen	Farrar	Peck	Vedder
Braman	Gallagher	Russell	Wellington

Burtis	Gedney	Seward	West
Calkins	Green	Slingerland	Whitmore
Clark	Hess	Stacy	Willis
Coffey	Hinckley		

Mr. West moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 39 }
{ NOES 55 }

Those who voted in the affirmative, were

Alvord	Daggett	Krack	Slingerland
Bishop	Decker	Lawrence	Stacy
Bordwell	Farrar	Lewis	Struble
Bowen	Gallagher	Lillybridge	W. F. Taylor
Braman	Gedney	Lincoln	Tremain
Burtis	Green	McAfee	Vedder
Calkins	Hess	Peck	West
Clark	Hinckley	Ransom	Whitmore
Coffey	Hussey	Russell	Willis
Comstock	Husted	Seward	

Those who voted in the negative, were

Barkley	Ely	McGowan	Schuyler
Beardsley	Faulkner	McGroarty	Sherman
Benedict	Friend	Merwin	Shiel
Bennett	Griffin	J. W. Miller	Silverman
Berry	Hammond	Muller	Smith
Brogan	Hauschel	Oakley	Speaker
T. C. Campbell	Hogan	O'Keefe	Stauf
T. J. Campbell	Holmes	Page	Stephens
Cole	Ives	Pierson	Talmage
Cooke	Keenan	Reilly	G. Taylor
Costigan	Kennaday	Rich	Vosburgh
Daly	Kirk	Roscoe	Waehner
Davis	Kshinka	Schenck	Wurts
Dessar	Mackin	Schieffelin	

The Senate bill entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children, on the Cattaraugus Reservation, and to provide for its management and maintenance," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Seward
Beardsley	Dessar	Krack	Sherman

Benedict	Ely	Kshinka	Shiel
Berry	Farrar	Lawrence	Silverman
Bishop	Faulkner	Lillybridge	Smith
Bordwell	Fish	Lincoln	Speaker
Bowen	Friend	Mackin	Stacy
Braman	Gallagher	McGowan	Stauf
Broas	Gedney	McGroarty	Stephens
Brogan	Green	Merwin	Struble
Burtis	Hammond	J. W. Miller	Talmage
Calkins	Hanrahan	O'Keefe	G. Taylor
T. C. Campbell	Hauschel	Peck	Vedder
T. J. Campbell	Hess	Pierson	Vosburgh
Christopher	Hinckley	Reilly	Waehner
Clark	Hogan	Rich	Wenzel
Cole	Holmes	Russell	West
Comstock	Husted	Sanford	Whitmore
Costigan	Ives	Schenck	Willis
Daggett	Kennaday	Schieffelin	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation, by the Commissioners of the Land Office,' and authorizing the Commissioners of the Land Office to exchange lands on said reservation," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 72 }
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Rich
Barkley	Daggett	Kirk	Schenck
Beardsley	Daly	Lawrence	Schieffelin
Benedict	Decker	Lewis	Schuyler
Bennett	Ely	Lillybridge	Seward
Berry	Farrar	Lincoln	Shiel
Bishop	Faulkner	Mackin	Smith
Bordwell	Friend	McGowan	Speaker
Bowen	Gallagher	McGroarty	Stauf
Braman	Green	Merwin	Stephens
Broas	Griffin	J. W. Miller	Struble
Brogan	Hammond	Muller	W. F. Taylor
Burtis	Hanrahan	Oakley	Tremain
Calkins	Hausehel	O'Keefe	Vosburgh
T. C. Campbell	Hess	Page	Waehner
T. J. Campbell	Hinckley	Peck	Wenzel
Clark	Holmes	Pierson	West
Cole	Husted	Ransom	Willis

Those who voted in the negative, were

Coffey	Dessar	Keenan	Stacy
Cooke	Hogan	Pope	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. West moved to adjourn.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

• { AYES 26 }
 { NOES 52 }

Those who voted in the affirmative, were

Alvord	Daggett	Lillybridge	Struble
Bishop	Decker	Lincoln	W. F. Taylor
Bowen	Gallagher	Peck	Vedder
Burtis	Gedney	Pope	West
Clark	Green	Russell	Whitmore
Coffey	Hess	Seward	Willis
Comstock	Hinckley		

Those who voted in the negative, were

Beardsley	Ely	McGowan	Schuyler
Benedict	Faulkner	McGroarty	Sherman
Bennett	Friend	Merwin	Shiel
Berry	Hammond	J. W. Miller	Silverman
Brogan	Hauschel	Muller	Smith
T. O. Campbell	Hogan	O'Keefe	Speaker
T. J. Campbell	Holmes	Page	Stauf
Cole	Ives	Pierson	Stephens
Cooke	Keenan	Reilly	Talmage
Costigan	Kennaday	Rich	Vosburgh
Daly	Kirk	Roscoe	Waehner
Davis	Kshinka	Schenck	Wenzel
Dessar	Mackin	Schieffelin	

The bill entitled "An act to provide for a correct interpretation of the statutes of this State having reference to intoxicating liquors," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 45 }
 { NOES 18 }

Those who voted in the affirmative, were

Alvord	Friend	McGroarty	Stauf
Barkley	Gedney	Muller	Stephens
Bennett	Hauschel	Oakley	Talmage
Braman	Hess	O'Keefe	G. Taylor
Brogan	Hinckley	Reilly	Tremain

T. C. Campbell	Holmes	Schieffelin	Vedder
T. J. Campbell	W. Johnson	Sherman	Vosburgh
Coffey	Keenan	Shiel	Waehner
Cole	Kirk	Silverman	Wenzel
Costigan	Kshinka	Smith	West
Daly	McGowan	Speaker	Wurts
Dessar			

Those who voted in the negative, were

Bishop	Farrar	Merwin	Russell
Clark	Green	Peck	W. F. Taylor
Comstock	Hogan	Pope	Whitmore
Daggett	Hussey	Roscoe	Willis
Decker	Lillybridge		

Mr. T. J. Campbell moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

No quorum having voted,

Mr. Husted moved a call of the roll.

The roll was then called, and the members hereinafter named responded to the call.

Alvord	Ely	Kshinka	Schuyler
Barkley	Farrar	Lawrence	Seward
Beardsley	Faulkner	Lewis	Sherman
Benedict	Fish	Mackin	Shiel
Bennett	Fream	McGowan	Silverman
Berry	Friend	McGroarty	Slingerland
Bishop	Gallagher	Merwin	Smith
Braman	Gedney	J. W. Miller	Speaker
Brogan	Green	Muller	Stauf
T. C. Campbell	Hammond	Oakley	Stephens
T. J. Campbell	Hauschel	O'Keefe	Talmage
Clark	Hinckley	Page	G. Taylor
Cole	Hogan	Peck	W. F. Taylor
Comstock	Holmes	Pierson	Vedder
Cooke	Hussey	Reilly	Vosburgh
Costigan	Husted	Rich	Waehner
Daggett	Ives	Roscoe	Wenzel
Daly	W. Johnson	Russell	West
Davis	Keenan	Schenck	Whitmore
Decker	Kennaday	Schieffelin	Willis
Dessar	Kirk		

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The bill entitled "An act to give validity to the act of the president of the board of trustees of 1874 of the village of Nelsonville, in the county of Putnam, in administering the oath of office to the trustees elected at the last annual election, and to confirm the official acts and proceedings of officers of preceding boards," being announced for a third reading,

On motion of Mr. Husted, said bill was referred to the committee on on affairs of villages.

The bill entitled "An act creating the office of inspector of public works," being announced for a third reading,

Mr. Daly moved to recommit said bill to the committee on the judiciary, with instructions to amend section 4, and that they report on Wednesday next, and that said bill retain its place on the calendar of third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to a resolution adopted April 8, the Speaker and Clerk submitted the following list of bills as referable to the sub-committee of the whole, and recommend the adoption of the following resolution:

Resolved, That there be referred to the sub-committee of the whole the bills entitled as follows:

"An act to legalize the official acts of John E. Ashe as notary public."

"An act to amend an act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney island, in the county of Kings, passed May 25, 1874."

"An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot."

"An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua."

"An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans."

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, so as to exempt Chautauqua lake from certain provisions of said act."

"An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware."

"An act in relation to Riverside avenue and park in the city of New York."

"An act to regulate the use of slips, wharves and piers in the city of New York."

"An act to amend an act entitled 'An act to amend chapter 374 of the Laws of 1866, passed May 8, 1837, entitled An act for the appointment of a harbor master for the port of Albany,' passed April 4, 1866."

"An act to prevent the taking of fish in or from the waters of Tonawanda creek so-called, and its branches, in the counties of Wyoming and Genesee."

"An act relating to the construction of sidewalks upon Ellicott avenue in the village of Batavia."

"An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,' passed May 6, 1874."

"An act to legalize the action of the village of Whitehall in acquiring title to certain lands, and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection."

"An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village."

"An act to amend an act entitled 'An act to alter the system of repairing the highways,' passed May 2, 1873."

"An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs-at-law of Francis Wilson, alien, late of said city, deceased."

"An act to confirm the election of village trustees in certain cases, and to provide for determining, by lot, their respective terms of office."

"An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs-at-law of said Robert A. Lamont, deceased."

"An act to amend an act entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' passed April 22, 1862."

"An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house."

"An act to confirm the proceedings of supervisors and justices of the peace of the several towns in the county of Kings, relating to town sealers."

"An act to condense and amend the several acts entitled or relating to an act in relation to the sale of bottles used by the manufacturers of mineral waters and others, passed May 7, 1847."

Senate, "An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874."

Senate, "An act supplementary to chapter 55 of the Laws of 1861, entitled 'An act to provide for the erection of a town hall in the town of Flushing, in the county of Queens,' passed March 19, 1861, and to provide for the future custody of said hall."

Senate, "An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany."

"An act to amend an act to provide for the increased facilities of the fire department of the town of New Lots, passed May 21, 1874."

"An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county,' and supplementary thereto."

"An act to extend the time for the exercise and discharge of the official duties, and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City."

"An act in relation to the claims of county officers."

"An act in regard to sewerage and other improvements in Long Island City."

"An act to amend chapter 809 of the Laws of 1872, entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush, in Kings county.'"

"An act to authorize the religious society in the city of New York, known as the Temple Bethel, to buy and hold land for cemetery purposes."

"An act to provide for a public park in the city of Lockport."

"An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,' passed April 27, 1872."

"An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein, for the constructing of a road from Blood's hotel to Tupper's lake, in Franklin county.'"

Mr. Speaker put the question whether the House would agree to refer said bills, and it was determined in the affirmative.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return, for amendment, to the Senate of the bill entitled "An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush, passed March 22, 1854, and April 29, 1863,' passed April 25, 1871."

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to his Excellency the Governor, requesting him to return to the Senate the bill entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein.'"

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Speaker introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the city of Elmira,' passed April 7, 1864, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, the bill entitled "An act to amend chapter 113 of the Laws of 1859, entitled 'An act in relation to common schools in the village of Elmira,' passed April 4, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

Mr. McGroarty introduced a bill entitled "An act to authorize the board of supervisors of the county of Kings to refund certain moneys to John Christman and Patrick Dunn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Bennett introduced a bill entitled "An act to amend chapter 321 of the Laws of 1873, entitled 'An act to amend an act entitled An act to incorporate the Eighth Ward Savings Bank in the city of New York, passed March 22, 1871, and to change its name to Fifth Avenue Savings Bank,' passed April 29, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

Mr. Keenan introduced a bill entitled "An act to amend an act entitled 'An act to amend chapter 359 of the Laws of 1858, entitled An act for the prevention of masquerades,' passed April 25, 1829," which was

read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Costigan introduced a bill entitled "An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of the county of New York, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Hammond introduced a bill entitled "An act to amend section 10 of chapter 628 of the Laws of 1874, entitled 'An act to amend an act entitled An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Ely introduced a bill entitled "An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Pope introduced a bill entitled "An act to amend an act entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter,' passed April 29, 1868," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Schieffelin introduced a bill entitled "An act to amend chapter 656 of the Laws of 1874, entitled 'An act relating to the publication of judicial proceedings and legal notices in New York city and county,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Mr. Struble introduced a bill entitled "An act to amend the Code of Procedure," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to authorize insurers to form companies in the towns in which they reside," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Beardsley introduced a bill entitled "An act to amend an act entitled 'An act relative to disputed wills,' passed April 15, 1853," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to repeal chapter 455 of the Laws of 1874, entitled 'An act to protect the fisheries of Cross lake, in the county of Onondaga, also Clyde and Seneca rivers, in the counties of Wayne and Cayuga,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Also, a bill entitled "An act with regard to equitable defenses as between co-defendants to actions brought on negotiable paper," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Leave of absence was granted to Messrs. Beach, Schuyler and Tewksbury until Wednesday, and to Mr. Braman until Tuesday evening.

Mr. Gallagher introduced a bill entitled "An act to authorize the city of Buffalo to issue its bonds for the purpose of extending the supply of water to the city and its inhabitants," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Schenck introduced a bill entitled "An act to facilitate the dissolution of manufacturing companies, and to secure the payment of their debts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend chapter 440 of the Laws of 1873, entitled 'An act requiring commissioners of highways to act as inspectors of plank-roads and turnpikes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

Mr. Benedict introduced a bill entitled "An act to protect life at railroad crossings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Mr. Shiel introduced a bill entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled An act to incorporate the city of Yonkers,' passed June 7, 1872, passed February 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend an act entitled 'An act to establish the office of receiver of taxes and assessments in the town of Eastchester, county of Westchester,' passed March 27, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Mackin offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Assembly bill No. 436, entitled "An act to amend an act to reorganize the local government of the city of New York," passed April 30, 1873," and that the same be recommitted to the committee on affairs of cities.

Mr. Waehner moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr Speaker then put the question whether the House would agree to said resolution, and it was determined in the affirmative.

{ AYES 56 }
{ NOES 16 }

Those who voted in the affirmative, were

Beardsley	Faulkner	Mackin	Schieffelin
Benedict	Fish	McGowan	Schuyler
Bennett	Friend	McGroarty	Sherman
Berry	Griffin	Merwin	Shiel
Brogan	Hammond	J. W. Miller	Silverman
T. C. Campbell	Hauschel	Muller	Smith
T. J. Campbell	Hogan	Oakley	Speaker

Cole	Holmes	O'Keefe	Stauf
Cooke	Ives	Page	Stephens
Costigan	W. Johnson	Pierson	Talmage
Daly	Keenan	Reilly	G. Taylor
Davis	Kennaday	Rich	Vosburgh
Dessar	Kirk	Roscoe	Waehner
Ely	Kshinka	Schenck	Wenzel

Those who voted in the affirmative, were

Barkley	Coffey	Green	Lawrence
Bishop	Comstock	Hess	Lillybridge
Broas	Decker	Hinckley	Seward
Clark	Farrar	Husted	West

Mr. Waehner moved to reconsider the vote just taken.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Sherman moved to make the bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," a special order for Wednesday evening next, and that a session of the House be held for that purpose.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Smith, at 11 o'clock and 30 minutes, the House adjourned.

TUESDAY, APRIL 13, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Mr. McDonald.

The journal of yesterday was read and approved.

The Senate returned the bill entitled "An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the canal appraisers," with a message informing of concurrence in the passage of the same, with the following amendments:

Add the following as sections 5 and 6:

"§ 5. The sum of ten thousand dollars appropriated by act chapter 850 of the Laws of 1872, and reappropriated by act chapter 392 of the Laws of 1874, for conveying the water from Loon lake by discharging the same through Mill creek into the canal at Dansville for the purpose of supplying water to that branch of the Genesee Valley canal and as a feeder to the Erie canal at Rochester; and also the sum of twenty thousand dollars, appropriated by act chapter 930 of the Laws of 1871, and reappropriated by act chapter 529 of the Laws of 1873, for vertical wall on the north side of Main and Hamburg Street canal between Louisiana and Hamburg streets, and for moving lock at Nunda, on the Genesee Valley canal, are hereby reappropriated for completing and doubling the locks on the western division of the Erie canal.

“§ 6. The unexpended balances of any moneys hitherto appropriated for new work and extraordinary repairs upon the canals, the final accounts for which have been rendered and settled, which are reappropriated by this act or any previous act, and are now subject to the draft of the Auditor, are hereby appropriated and set apart to the payment of work upon the division for which they were originally appropriated, to be paid upon resolution of the Canal Board making specific appropriation therefor.”

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	W. A. Johnson	Rich
Badger	Decker	Lawrence	Russell
Barkley	Ely	Lawson	Sanford
Benedict	Farrar	Lewis	Schieffelin
Bishop	Faulkner	Lillybridge	Schuyler
Bordwell	Fish	Lincoln	Scudder
Bowen	Fream	Mackin	Sherman
Broas	Friend	McAfee	Silverman
Brogan	Gallagher	McGowan	Speaker
Brown	Gedney	McGroarty	Stacy
Burtis	Green	Merwin	Talmage
Calkins	Griffin	Muller	G. Taylor
T. C. Campbell	Hammond	Oakley	Vosburgh
Clark	Hanrahan	O'Keefe	Waehner
Cleary	Hess	Page	Wellington
Cole	Hinckley	Peck	Wenzel
Comstock	Hogan	Petty	West
Costigan	Holmes	Pierson	Whitmore
Daggett	Husted	Pope	Willis
Daly	Ives	Ransom	Worth

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

A message from the Senate was received and read, informing of agreement to the report of the committee of conference on the bill entitled as follows:

“An act to amend chapter 146 of the Laws of 1872, entitled ‘An act to authorize corporations to hold and convey real estate for business purposes in other States, with the consent thereof.’”

Ordered, That the Clerk return said bill to the Senate.

The privileges of the floor were extended to Hon. John Droll, Hon. W. G. Willis and Hon. Mr. Madgon.

A message from the Senate was received and read, informing of concurrence in the passage of the following resolution:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting the return of Assembly bill No. 178, entitled "An act to amend an act entitled 'An act to incorporate the village of Portchester,'" for amendment.

Also the following:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor requesting the return of Assembly bill No. 780, entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county.'"

Ordered, That the Clerk deliver said resolutions to the Governor.

The Senate returned the bill entitled "An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 1, line 14, engrossed bill, strike out the word "twenty-seven" and insert the word "nine." Strike out the word "six" and insert the word "one."

Page 2, line 9, strike out the word "seventy" and insert the word "sixty."

Line 16, strike out the word "two" and insert the word "four," and strike out the words "five hundred."

Line 30, strike out the words "and ten."

Page 3, line 9, "strike out the words "one million one" and insert the word "eight."

Line 15, strike out the word "five" and insert the word "four."

Add at the end of line 15 the following: "The further sum of one hundred and fifty thousand dollars, or so much thereof as may be necessary, is hereby appropriated out of the revenues of the canals for the current fiscal year, to be expended in retrunking the upper and lower Mohawk aqueducts, and constructing and otherwise repairing the sixteen locks, so called, on the Eastern Division of the Erie canal."

Line 17, strike out the word "three" and insert the word "two."

Line 19, strike out the word "three" and insert the word "two."

Line 27, strike out the word "concurring" and insert the word "unanimous," strike out the word "five" and insert the word "all;" after the word "thereof" insert the words "present not less than six."

Add at the end of section 1 the following: "All moneys collected for tolls upon the Chemung, Crooked Lake, Chenango, Genesee Valley and Black River canals, together with all tolls collected upon the Erie canal from freights coming from said canals respectively, shall be credited to each of the said canals as tolls received from them respectively, and the amount expended upon the Chemung, Crooked Lake, Chenango, Genesee Valley and Black River canals respectively for maintenance, repairs and superintendence, shall not in any one year exceed double the amount of the tolls so received and credited to each as aforesaid of the preceding year."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 6 }

Those who voted in the affirmative, were

Badger	Ely	Lawson	Rich
Barkley	Farrar	Lewis	Roscoe
Barrow	Faulkner	Lillybridge	Sanford
Benedict	Fream	Lincoln	Schenck
Bennett	Friend	Mackin	Schuyler
Bordwell	Gallagher	McAfee	Souder
Bowen	Gedney	McGowan	Shattuck
Broas	Green	McGroarty	Sherman
Brogan	Griffin	Merwin	Shiel
Brown	Hammond	J. W. Miller	Silverman
Burtis	Hanrahan	W. Miller	Speaker
Calkins	Hauschel	Muller	Stacy
T. C. Campbell	Hinckley	Oakley	Stauf
T. J. Campbell	Hogan	O'Keefe	Stephens
Coffey	Holmes	Page	Talmage
Cole	Houghton	Peck	G. Taylor
Comstock	Hussey	Petty	Waehner
Costigan	Ives	Pierson	Wellington
Daggett	W. A. Johnson	Pope	Wenzel
Daly	Kirk	Prince	Willis
Davis	Kraak	Ransom	Witbeck
Dessar	Lawrence	Reilly	Worth

Those who voted in the negative, were

Alvord	Clark	Hess	Keenan
Bishop	Decker		

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Pending the call, Mr. Burtis asked to be excused from voting.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

This being the day assigned by the rule for the consideration of general orders,

By unanimous consent, Mr. Oakley introduced a bill entitled "An act to release the right, title and interest of the people of the State of New York of, in and to certain real estate of which Thomas Thompson died seized to Mary Smith, formerly Mary Thompson, his widow," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, by unanimous consent, a bill entitled "An act to appoint commissioners to erect a city hall in and for Long Island City, and to provide for the expenses of the same," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act for the better suppression of vice and obscene literature."

"An act for the prevention of disease among animals."

"An act to amend an act entitled 'An act to authorize the formation

of railroad corporations, and to regulate the same, passed April 2, 1850, so as to permit municipal corporations to aid in the construction of railroads,' passed May 18, 1869."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. J. W. Miller, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. J. W. Miller, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

Mr. T. C. Campbell moved that the committee of the whole be discharged from the further consideration of said bill, and that the same be ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would grant leave to said committee to sit again, and it was determined in the negative.

Mr. J. W. Miller, from said committee, also reported that they had stricken out the title to said third mentioned bill; which report was agreed to.

By unanimous consent, on motion of Mr. Stephens, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873," and the same ordered to a third reading.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act to authorize overseers of highways in the several road districts of this State to cause the removal of fences along public highways for the purpose of preventing the drifting of snow into such highways."

"An act to reorganize the village of Canajoharie."

"An act supplementary to an act entitled 'An act to incorporate the Manhattan Loan and Trust Company of the city of New York,' passed June 26, 1873."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Smith, from said committee, reported in favor of the passage of said first mentioned bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Smith, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Schenck, the committee of the whole was discharged from the further consideration of said bill, and the same ordered engrossed and to a third reading.

Mr. Smith, from said committee, also reported progress on said third mentioned bill, and asked and obtained leave to sit again.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the bill entitled "An act in relation to railroad corporations," for amendment.

Mr. Alvord moved to reconsider the vote on the final passage of said bill.

Mr. Speaker put the question whether the House would agree to

reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Schieffelin
Badger	Dessar	Krack	Seward
Barkley	Ely	Lawrence	Shattuck
Benedict	Farrar	Lawson	Sherman
Bennett	Faulkner	Lincoln	Silverman
Bishop	Friend	McAfee	Smith
Bordwell	Gedney	McGowan	Speaker
Bowen	Green	McGroarty	Stauf
Broas	Griffin	Merwin	Stephens
Brogan	Hammond	J. W. Miller	Struble
Burtis	Hanrahan	W. Miller	G. Taylor
Calkins	Hauschel	Oakley	W. F. Taylor
T. C. Campbell	Hess	O'Keefe	Vedder
T. J. Campbell	Hinckley	Page	Waehner
Clark	Houghton	Petty	Wellington
Coffey	Husted	Ransom	Wenzel
Cole	Ives	Rich	Willis
Costigan	W. Johnson	Russell	Witbeck
Daggett	Keenan	Schenck	Worth
Davis	Kennaday		

On motion of Mr. Alvord, and by unanimous consent, said bill was amended by striking out section 2.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Lawson	Scudder
Barkley	Decker	Lewis	Seward
Beardsley	Ely	Lillybridge	Sherman
Benedict	Faulkner	Lincoln	Silverman
Bennett	Friend	McAfee	Smith
Bishop	Gedney	McGowan	Speaker
Bordwell	Griffin	McGroarty	Stephens
Bowen	Hammond	Merwin	Struble
Braman	Hanrahan	J. W. Miller	Talmage
Broas	Hanschel	Oakley	G. Taylor
Brogan	Hess	O'Keefe	W. F. Taylor
Brown	Hinckley	Page	Vedder
Calkins	Houghton	Peck	Vosburgh

T. C. Campbell	Husted	Petty	Waehner
T. J. Campbell	Ives	Pope	Wellington
Clark	W. Johnson	Prince	Wenzel
Cleary	Keenan	Rich	West
Coffey	Kennaday	Sanford	Whitmore
Comstock	Kirk	Schenck	Willis
Costigan	Krack	Schieffelin	Worth
Daggett	Lawrence	Schuyler	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

By unanimous consent, on motion of Mr. Waehner, the vote agreeing to the adverse report of the committee on the judiciary to the bill entitled "An act in relation to Wesley Sterling Yard, late a reporter in the first judicial department of the supreme court," was reconsidered, and said bill recommitted to the committee on the judiciary.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to Congress Hall."

Senate, "An act to incorporate the Twelfth Ward Savings Bank in the city of New York."

"An act further to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' and the several acts amendatory thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Keenan, from said committee, reported in favor of the passage of said first and third mentioned bills, the third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Keenan, from said committee, also reported progress on said second mentioned bill, and asked leave to sit again.

The question being on granting leave,

On motion of Mr. Smith, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

By unanimous consent, Mr. Waehner introduced a bill entitled "An act to create an inferior criminal court for the more speedy trial of persons accused of crime in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Hammond presented the report of the committee on ways and means in relation to moneys of the State in the several deposit banks, and also dates of payment of State tax by the several county treasurers; which was laid on the table and ordered printed.

(*See Doc. No. 122.*)

Mr. Hammond moved that 500 extra copies be printed for the use of the Legislature, and 100 copies for the use of the committee.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The hour of 2 o'clock having arrived, the House took a recess until 7½ o'clock P. M.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to permit the New Jersey and New York Railway Company to continue their road from Haverstraw into Orange and Ulster counties."

"An act to release the interest of the people of the State of New York to the children and the heirs of William Smith, deceased, and to enable them to take, hold and dispose of certain real estate."

"An act making appropriations for the payment of the principal and the interest of the canal debt for the fiscal year commencing on the first day of October, 1875, and to provide for the payment of the principal and interest of the debt contracted under section 12 of article 7 of the Constitution."

"An act to release to Patrick J. Wallace, as executor of Anna Hanlon, deceased, the real estate of which Edward Brown died seized."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bills entitled as follows:

"An act to provide for the better care of pauper and destitute children."

"An act to reappropriate moneys for construction of new work upon and extraordinary repairs of the canals of this State, and for payment of awards made by the Canal Appraisers."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to enlarge the board of education in union free school district No. 6, in the town of Northfield, in the county of Richmond, and to change the name of said district, and to authorize said board of education to sell and convey to the purchaser thereof the present school-house and site, and also to purchase a new site for a school-house in said district, and to erect thereupon a new school-house, and to provide for the raising of money therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public education.

"An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above mentioned acts," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

"An act to amend an act entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' passed April 6, 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

"An act to amend an act entitled 'An act to facilitate the formation of agricultural and horticultural societies,' passed April 13, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on agriculture.

"An act to amend the act entitled 'An act to provide for supplying the city of Hudson with pure and wholesome water,' passed May 7, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton, and lay out the same," passed April 6, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act relative to the care and education of deaf mutes," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to amend an act entitled 'An act to amend, revise and consolidate the laws in relation to the village of Seneca Falls, in the county of Seneca,' passed April 20, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. McGroarty, from the sub-committee of the whole, submitted a report in writing; which was laid on the table and ordered printed.

(See Doc. No. 123.)

By unanimous consent, Mr. Lawson introduced a bill entitled "An act to amend chapter 593 of the Laws of 1873, entitled 'An act to amend an act to establish an insurance department,' passed April 15, 1859," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on insurance.

Mr. Page moved that the bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874," also the bill entitled "An act in relation to the canals," be made a special order for this evening.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Alvord moved a call of the roll.

The roll was then called, and the members hereinafter mentioned answered to their names:

Alvord	Green	Lincoln	Schuyler
Benedict	Hammond	Mackin	Scudder
Bowen	Hanrahan	McGowan	Sherman
Braman	Hauschel	McGroarty	Shiel
Burtis	Hepburn	Merwin	Speaker
T. C. Campbell	Hinckley	J. W. Miller	Stephens
T. J. Campbell	Hogan	Oakley	Struble
Clark	Holmes	Page	Talmage
Cleary	Houghton	Peck	W. F. Taylor
Coffey	Hussey	Petty	Vedder
Comstock	Husted	Pope	Vosburgh
Costigan	W. Johnson	Prince	Wenzel
Daly	W. A. Johnson	Ransom	West
Davis	Keenan	Reilly	Whitmore

Decker	Kennaday	Roscoe	Witbeck
Farrar	Kshinka	Russell	Worth
Fay	Lawson	Sanford	Wurts
Friend	Lewis	Schieffelin	Yost
Gallagher	Lillybridge		

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Mr. Page moved that the bill entitled "An act in relation to the canals," also the bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874," be considered in the first committee of the whole.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The House again resolved itself into a committee of the whole on the bills entitled as follows:

"An act in relation to the canals."

"An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers of the Canal Board and of the Board of Canal Commissioners, and to pay certificates of indebtedness on interest now outstanding."

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Daly, from said committee, reported in favor of the passage of said bills, the first and third mentioned with amendments; which report was agreed to, and said bills ordered engrossed and to a third reading.

Mr. Oakley presented a report from the committee on commerce and navigation on matters embraced in the resolution adopted March 3, 1875, relative to the Board of Commissioners of Emigration; which was laid on the table and ordered printed.

(See Doc. No. 124.)

By unanimous consent, Mr. Waehner introduced a bill entitled "An act for the relief of Ferdinand S. Hahn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, by unanimous consent, a bill entitled "An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Schieffelin introduced a bill entitled "An act to amend chapter 556 of the Laws of 1874, entitled 'An act to enable the towns of East Chester and Pelham, in the county of Westchester, to purchase and obtain lands for the improvement of East Chester creek,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Cole introduced a bill entitled "An act to amend an act passed May 20, 1874, entitled 'An act to amend an act

passed April 17, 1861, entitled *An act authorizing the establishment of the House of Refuge for Juvenile Delinquents in Western New York,*" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Husted introduced a bill entitled *"An act to release to George Wheeler the real estate of which Elizabeth Wheeler died seized,"* which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Sherwood introduced a bill entitled *"An act authorizing the Land Commissioners to deed to the city of Binghamton a portion of the Chenango canal for street purposes; also, to empower said city to recover possession of the land deeded,"* which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Oakley introduced a bill entitled *"An act to authorize the election of a free bridge across the outlet of Lake Saratoga, and the laying out, constructing and grading the avenues or approaches thereto, and the extinguishment of all rights, title and interest of the stockholders in the present toll bridge over said outlet near Moon's Lake House,"* which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Prince introduced a bill entitled *"An act conferring upon the port wardens of New York power to appoint certain collectors of pilotage,"* which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on commerce and navigation.

By unanimous consent, Mr. Barrow introduced a bill entitled *"An act to release the interest and title of the people of the State of New York in and to certain real estate in the city of New York to Walter Bauendahl and Leonard J. Strarstny,"* which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, by unanimous consent, presented a petition and papers on the same subject; which were read and referred to the same committee.

By unanimous consent, Mr. Kshinka introduced a bill entitled *"An act in relation to marshals and constables serving at courts within the county of Albany,"* which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, by unanimous consent, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Sherman introduced a bill entitled *"An act making an appropriation for the purpose of restocking the public streams of this State with speckled trout and other fish,"* which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent, Mr. Sherman offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That 2,500 copies of the twenty-first annual report of the Superintendent of Public Instruction, in the usual

form, 1,000 of which are to be bound in cloth, be printed for distribution by that officer; one copy, also, for each school district and school commissioner in the State, and 500 copies to be bound in cloth for the use of the Legislature.

Ordered, That the same be referred to the committee on public printing.

By unanimous consent, Mr. Sherman presented two remonstrances of members of the Oneida county Homœopathic Medical Society against the bill to establish a State board of health; which were read and referred to the committee on public health.

Mr. Comstock offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the officers and soldiers of the late Nineteenth Independent Battery of Artillery, New York State Volunteers, be allowed the use of the flag of that organization from the Bureau of Military Statistics, Albany, on the 16th, 17th and 18th days of June, 1875, the anniversary of their discharge from the United States service.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

On motion of Mr. Alvord, at 10 o'clock and 10 minutes, the House adjourned.

WEDNESDAY, APRIL 14, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Walsh.

The journal of yesterday was read and approved.

A message from the Senate was received and read, in the words following:

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act to amend chapter 533 of the Laws of 1853, entitled 'An act to incorporate the village of Jamaica, in the county of Queens, into a separate school district, and to establish free schools therein,' and also an act amendatory thereof, known as chapter 867 of the Laws of 1867."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. King, and by unanimous consent, the same was amended as follows:

Section 1, line 1, engrossed bill, after "section 1" strike out down to and including "section 8," in line 6. Line 6, strike out the word "said," and insert after the word "education" the words "of the village of Jamaica."

Section 2, lines 1 and 2, strike out the words "said act, passed July 18," and insert the words "chapter 533 of the Laws of."

Amend the title so as to read as follows: "An act relating to the common schools in the village of Jamaica, in the county of Queens."

And said bill, as amended, passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Roscoe
Badger	Ely	Krack	Russell
Barkley	Fish	Kshinka	Sanford
Benedict	Friend	Law	Schieffelin
Bennett	Gallagher	Lawrence	Schuyler
Berry	Gedney	Lawson	Scudder
Bishop	Green	Lewis	Seward
Bordwell	Griffin	Lillybridge	Shattuck
Brogan	Hammond	Lincoln	Sherwood
Brown	Hanrahan	Mackin	Shiel
Burtis	Hauschel	McGowan	Silverman
Calkins	Hepburn	McGroarty	Smith
T. C. Campbell	Hinckley	Merwin	Talmage
T. J. Campbell	Hogan	J. W. Miller	W. F. Taylor
Clark	Holmes	W. Miller	Tewksbury
Comstock	Ives	Muller	Wenzel
Cooke	W. Johnson	Page	Whitmore
Costigan	W. A. Johnson	Peck	Willis
Daggett	Keenan	Pope	Witbeck
Daly	Kennaday	Reilly	Worth

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. A. Johnson	Rich
Barkley	Decker	Keenan	Roscoe
Benedict	Ely	Kennaday	Russell
Berry	Fay	Kirk	Sanford
Bishop	Fish	Krack	Schieffelin
Bordwell	Friend	Kshinka	Schuyler
Braman	Gallagher	Lawrence	Scudder
Brogan	Gedney	Lawson	Shattuck
Brown	Green	Lillybridge	Sherwood
Burtis	Griffin	Lincoln	Shiel
Calkins	Hammond	Mackin	Silverman
T. C. Campbell	Hanrahan	McGowan	Talmage
T. J. Campbell	Hauschel	McGroarty	W. F. Taylor
Clark	Hepburn	Merwin	Tewksbury
Cleary	Hinckley	J. W. Miller	Wenzel

Coffey	Hogan	W. Miller	Willis
Comstock	Holmes	Muller	Witbeck
Cooke	Hussey	Page	Worth
Costigan	Husted	Petty	Wurts
Daggett	Ives	Ransom	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, as amended.

A message from the Senate was received and read in the words following:

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill entitled "An act to amend an act entitled 'An act amending, revising and consolidating the several acts in relation to the village of Greenbush,' passed March 22, 1854, and April 29, 1863, passed April 25, 1871."

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Parmenter, and by unanimous consent, the same was amended as follows:

Section 2, line 1, strike out the word "section" and insert in lieu thereof the word "subdivision," and after "23" insert the words "of section 3." Line 2, strike out the word "two" and insert the word "three."

And said bill, as amended, passed, and ordered sent to the Assembly for concurrence.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Kirk	Schieffelin
Barkley	Fish	Kshinka	Schuyler
Benedict	Friend	Lawrence	Souder
Berry	Gallagher	Lawson	Seward
Bishop	Gedney	Lincoln	Sherwood
Bowen	Griffin	McAfee	Shiel
Braman	Hammond	McGowan	Silverman
Brown	Hanrahan	Merwin	Smith
Burtis	Hauschel	J. W. Miller	Stephens
Calkins	Hepburn	W. Miller	Talmage
T. C. Campbell	Hinckley	Peck	W. F. Taylor
T. J. Campbell	Hogan	Petty	Tewksbury
Clark	Holmes	Pierson	Wenzel
Cleary	Hussey	Pope	West
Coffey	Husted	Ransom	Whitmore
Comstock	Ives	Rich	Willis
Cooke	W. Johnson	Roscoe	Witbeck
Costigan	W. A. Johnson	Russell	Worth
Daly	Keenan	Sanford	Wurts
Decker	Kennaday		

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Reilly
Barkley	Decker	Krack	Roscoe
Beardsley	Ely	Kshinka	Russell
Benedict	Friend	Law	Schieffelin
Berry	Gallagher	Lawson	Schuyler
Bishop	Gedney	Lillybridge	Soudder
Bordwell	Green	Lincoln	Seward
Braman	Griffin	McAfee	Shattuck
Brogan	Hammond	McGowan	Shiel
Brown	Hanrahan	McGroarty	Silverman
Burtis	Hauschel	Merwin	Smith
Calkins	Hepburn	J. W. Miller	Stephens
T. C. Campbell	Hess	W. Miller	Talmage
T. J. Campbell	Hinckley	Page	W. F. Taylor
Clark	Hogan	Peck	Tewksbury
Cleary	Holmes	Petty	Wenzel
Coffey	Husted	Pierson	West
Comstock	Ives	Pope	Willis
Cooke	W. Johnson	Prince	Witbeck
Costigan	W. A. Johnson	Ransom	Worth
Daggett	Kennaday		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, as amended.

The Senate returned the bill entitled "An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State," with a message informing that they had passed the same, with the following amendment:

Section 2, line 3, engrossed bill, after the word "judgment" insert the words "or otherwise."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. A. Johnson	Roscoe
Badger	Decker	Keenan	Russell
Barkley	Ely	Kennaday	Sanford
Benedict	Fay	Kirk	Schenck
Berry	Fish	Krack	Schieffelin
Bishop	Friend	Lawrence	Schuyler

Bordwell	Gallagher	Lawson	Scudder
Bowen	Gedney	Lillybridge	Seward
Braman	Green	Lincoln	Sherwood
Broas	Griffin	Mackin	Shiel
Brogan	Hammond	McAfee	Silverman
Brown	Hanrahan	McGowan	Smith
Burtis	Hauschel	McGroarty	Stauf
Calkins	Hepburn	Merwin	Talmage
T. C. Campbell	Hess	J. W. Miller	W. F. Taylor
T. J. Campbell	Hinckley	W. Miller	Tewksbury
Clark	Hogan	O'Keefe	Wenzel
Cleary	Holmes	Page	West
Comstock	Hussey	Petty	Willis
Cooke	Husted	Pierson	Witbeck
Costigan	Ives	Ransom	Worth
Daggett	W. Johnson	Rich	Wurts

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled "An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs-at-law of Edmund Cosby, deceased," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 1, line 7, engrossed bill, strike out "Julia A." and insert in lieu thereof the words "Amanda Sophia."

Amend the title by striking out the words "Julia A." and inserting in lieu thereof the words "Amanda Sophia."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Decker	Kennaday	Schenck
Badger	Ely	Kirk	Schieffelin
Barkley	Fish	Krack	Schuyler
Benedict	Friend	Lawrence	Scudder
Berry	Gallagher	Lawson	Seward
Bishop	Gedney	Lillybridge	Shattuck
Bordwell	Green	Lincoln	Shiel
Braman	Griffin	Mackin	Silverman
Broas	Hammond	McAfee	Smith
Brogan	Hanrahan	McGowan	Stauf
Brown	Hauschel	McGroarty	Stephens
Burtis	Hepburn	Merwin	Talmage
Calkins	Hess	J. W. Miller	W. F. Taylor
T. C. Campbell	Hinckley	W. Miller	Tewksbury
Clark	Hogan	Page	Vedder

Cleary	Holmes	Peck	Wenzel
Cole	Hussey	Petty	West
Comstock	Husted	Pope	Whitmore
Cooke	Ives	Prince	Witbeck
Costigan	W. Johnson	Ransom	Worth
Daggett	W. A. Johnson	Reilly	Wurts
Daly	Keenan	Roscoe	Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,' " for amendment.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Kennaday	Schenck
Badger	Fay	Kirk	Schieffelin
Barkley	Fream	Krack	Schuyler
Benedict	Friend	Kahinka	Seward
Berry	Gallagher	Lawrence	Sherwood
Bishop	Gedney	Lawson	Shiel
Bordwell	Green	Lincoln	Smith
Broas	Griffin	Mackin	Stauf
Brogan	Hammond	McAfee	Stephens
Brown	Hanrahan	McGowan	Talmage
Burtis	Hauschel	McGroarty	W. F. Taylor
Calkins	Hepburn	Merwin	Vedder
T. C. Campbell	Hess	J. W. Miller	Wenzel
T. J. Campbell	Hinckley	Page	West
Clark	Hogan	Petty	Whitmore
Cleary	Holmes	Prince	Willis
Cole	Husted	Ransom	Witbeck
Cooke	Ives	Rich	Worth
Costigan	W. Johnson	Roscoe	Wurts
Daly	W. A. Johnson	Sanford	Yost
Decker			

By unanimous consent, on motion of Mr. Schieffelin, said bill was amended as follows:

Page 3, engrossed bill, section 3, strike out the word "four" and insert the word "five."

Amend the title by striking out the words "section 2 of title 4 of."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Fay	Kirk	Schuyler
Badger	Fream	Krack	Sherwood
Barkley	Friend	Kshinka	Silverman
Benedict	Gallagher	Lawrence	Smith
Berry	Gedney	Lawson	Stauf
Bishop	Green	Lincoln	Stephens
Braman	Griffin	Mackin	Struble
Broas	Hammond	McAfee	Talmage
Burtis	Hanrahan	McGowan	G. Taylor
Calkins	Hauschel	McGroarty	W. F. Taylor
T. C. Campbell	Hepburn	J. W. Miller	Tewksbury
T. J. Campbell	Hess	W. Miller	Wenzel
Clark	Hinckley	Page	West
Cleary	Hogan	Petty	Whitmore
Comstock	Holmes	Pope	Willis
Cooke	Husted	Ransom	Witbeck
Costigan	Ives	Rich	Worth
Daly	W. Johnson	Roscoe	Wurts
Edson	W. A. Johnson	Schenck	Yost
Ely	Kennaday	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Pursuant to a concurrent resolution of the Senate and Assembly, the Governor returned the bill entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county,' " for amendment.

Mr. Oakley moved to reconsider the vote on the final passage of said bill.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. A. Johnson	Scheiffelin
Barkley	Decker	Keenan	Schuyler
Beardsley	Ely	Kennaday	Scudder
Benedict	Faulkner	Kirk	Shattuck
Bennett	Fay	Law	Sherwood
Berry	Fish	Lawrence	Shiel
Bordwell	Friend	Lawson	Smith
Braman	Gallagher	Mackin	Stauf
Broas	Gedney	McAfee	Stephens
Brogan	Green	McGowan	Talmage
Burtis	Griffin	McGroarty	G. Taylor
Calkins	Hammond	J. W. Miller	Vedder

T. C. Campbell	Hanrahan	Oakley	Waehner
T. J. Campbell	Hauschel	Page	Wellington
Christopher	Hepburn	Petty	Wenzel
Cleary	Hess	Pope	West
Coffey	Hinckley	Prince	Whitmore
Cole	Hogan	Ransom	Willis
Comstock	Hussey	Reilly	Witbeck
Cooke	Husted	Roscoe	Worth
Costigan	Ives	Sanford	Wurts
Daggett	W. Johnson	Schenck	Yost

By unanimous consent, on motion of Mr. Oakley, said bill was amended as follows:

Engrossed bill, section 2, line 3, strike out after the word "elect" all of said section, and insert in lieu thereof the words "one coroner in addition to the number now allowed by law."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES, 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Schieffelin
Barkley	Ely	Kennaday	Schuyler
Barrow	Faulkner	Kirk	Scudder
Beardsley	Fay	Krack	Shattuck
Benedict	Fish	Lawrence	Shiel
Berry	Friend	Lawson	Silverman
Bordwell	Gallagher	Lillybridge	Smith
Bowen	Gedney	Lincoln	Stauf
Braman	Green	McAfee	Stephens
Broas	Griffin	McGowan	Struble
Brogan	Hammond	McGroarty	Talmage
Burtis	Hanrahan	Merwin	G. Taylor
Calkins	Hauschel	J. W. Miller	W. F. Taylor
T. C. Campbell	Hepburn	Oakley	Vedder
T. J. Campbell	Hess	Page	Vosburgh
Christopher	Hinckley	Petty	Waehner
Clark	Hogan	Pierson	Wenzel
Cole	Holmes	Pope	West
Comstock	Hussey	Ransom	Willis
Cooke	Husted	Rich	Witbeck
Costigan	Ives	Russell	Wurts
Daly	W. Johnson	Schenck	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

The Senate returned the resolution relative to giving use of flag to the Nineteenth Independent Battery of Artillery of New York State Volunteers, with a message informing of concurrence in the passage of the same.

Mr. McGroarty called from the table the report of the sub-committee of the whole, in favor of the passage of the bills entitled as follows:

Senate, "An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874."

"An act to extend the time for the exercise and discharge of the official duties, and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City."

"An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein, for the constructing of a road from Blood's hotel to Tupper's lake, in Franklin county.'"

"An act to authorize the religious society in the city of New York, known as the Temple Bethel, to buy and hold land for cemetery purposes."

"An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans." With the following amendments:

Add at the end of section 11 the words "or in any of the streams, ponds or other waters within the limits of Orleans county."

Insert at the commencement of section 2 the words: "No person shall kill or expose, or have in his or her possession, after it shall have been killed in any of the lakes or other waters of or in the county of Orleans, any muscalonge, pickerel, pike, Oswego bass, black bass, rock bass or perch, between the first day of January and the tenth day of May."

"An act in regard to sewerage and other improvements in Long Island City." With the following amendments:

Strike out in line 2, section 2, the word "will," and insert the word "shall." Strike out in line 4 of the same section the word "will" and insert the word "shall."

Add a new section as section 4: "This act shall take effect immediately."

"An act to amend an act entitled 'An act to provide for the formation of societies for the prevention of horse stealing,' passed April 22, 1862." With the following amendments:

Strike out in line 1 of section 1 the words "the act," and insert the words "chapter 438 of the Laws of 1862," and amend the title so as to read as follows: "An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing.'"

"An act to provide for a public park in the city of Lockport." With the following amendments:

Insert after the word "the" in first line of section 1 the words "common council." Strike out the words "shall proceed," in same line, and insert the words "are hereby authorized and empowered."

Insert after the word "street," in line 10 of section 3, the words "and West Main street from Transit street."

Insert in line 11, same section, after the word "street" the words "and West Main street from Transit street to the bridge, and up to and including the Judson House, so called." Same section, line 12, strike out the word "such" and insert the words "the whole," and after the word "amount," in same line, insert the word "unpaid."

"An act releasing the interest of the State of New York in certain

lands of which Robert A. Lamont died seized to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs-at-law of said Robert A. Lamont, deceased."

"An act relating to the construction of sidewalks upon Ellicott avenue in the village of Batavia."

"An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua."

"An act to amend an act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney island, in the county of Kings, passed May 25, 1874." With the following amendments:

Strike out in line 6 of section 1 the words "passed May 25, 1874."

Strike out in line 18 of section 2 the word "assessments."

Strike out in lines 34 and 35, same section, the words "and default."

Amend the title so as to read as follows: "An act to amend chapter 538 of the Laws of 1874, entitled 'An act to improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney Island, in the county of Kings.'"

"An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot."

"An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county,' and supplementary thereto."

Senate, "An act for the preservation of fish in the waters of the Genesee river, its branches and tributaries, in the county of Allegany."

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, so as to exempt Chautauqua lake from certain provisions of said act." With the following amendment:

Amend the title so as to read as follows: "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish, so as to exempt Chautauqua lake from certain provisions of said act.'"

"An act to legalize the official acts of John E. Ashe as notary public."

"An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware."

"An act to prevent the taking of fish in or from the waters of Tonawanda creek so-called, and its branches, in the counties of Wyoming and Genesee."

"An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,' passed May 6, 1874." With the following amendments:

Strike out in lines 3 and 4 of section 4, the words "passed May 6, 1875."

Amend the title so as to read as follows: "An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State.'"

"An act to amend chapter 387 of the Laws of 1872, entitled 'An act

to supply the city of Rochester with pure and wholesome water,' passed April 27, 1872." With the following amendments:

Strike out in lines 2 and 3 of section 1, the words "passed April 27, 1872."

Amend the title so as to read as follows: "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water.'"

Which report was agreed to, and said bills severally ordered engrossed and to a third reading.

By unanimous consent, Mr. Hepburn introduced a bill entitled "An act to legalize the official acts of the trustees of the village of Canton during the years 1874 and 1875, in selling the old engine house property, in purchasing another lot and erecting a new engine house thereon, in making and issuing the certificates of indebtedness of said village, and in raising money thereon to pay for said lot and building, and to legalize the vote and action of the electors of said village in that behalf," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hepburn, and by unanimous consent, said bill was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 93 {
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Fay	Law	Schieffelin
Barkley	Fish	Lawrence	Schuyler
Beardsley	Friend	Lawson	Scudder
Benedict	Gallagher	Lewis	Shattuck
Berry	Gedney	Lillybridge	Sherman
Bishop	Green	Lincoln	Sherwood
Bordwell	Griffin	McAfee	Shiel
Braman	Hammond	McGowan	Smith
Brogan	Hanrahan	McGroarty	Stauf
Burtis	Hauschel	Merwin	Struble
Calkins	Hepburn	J. W. Miller	Talmage
T. C. Campbell	Hess	Oakley	G. Taylor
T. J. Campbell	Hinckley	O'Keefe	W. F. Taylor
Christopher	Hogan	Page	Tewksbury
Cleary	Holmes	Peck	Vedder
Cole	Husted	Petty	Vosburgh
Comstock	Ives	Pierson	Waehner
Cooke	W. Johnson	Prince	Wenzel
Cos:igan	W. A. Johnson	Rich	Whitmore
Daggett	Keenan	Roscoe	Willis
Daly	Kennaday	Russell	Worth
Decker	Kirk	Sanford	Wurts
Ely	Krack	Schenck	Yost
Faulkner			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to a resolution adopted April 8, the Speaker and Clerk submitted the following list of bills as referable to the sub-committee of the whole, and recommend the adoption of the following resolution:

Resolved, That there be referred to the sub-committee of the whole the bills entitled as follows:

"An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same."

"An act to enable the city of Yonkers to consolidate and equalize the time of payment of its bonded debt."

"An act to enable the city of New York to finally settle and pay that part of the bonded debt of the late town of Yonkers apportioned to the late town of Kingsbridge."

"An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims."

"An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie."

"An act in relation to taxes on lands sold by the State, and to amend the Revised Statutes in relation thereto."

"An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego."

"An act relative to judgments entered upon forfeited recognizances in the city and county of New York."

"An act for the preservation of fish in Salmon river, in Oswego county."

"An act permitting fishing with gill nets for suckers, in Schuyler's lake."

"An act to amend chapter 569 of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seamen's Retreat on Staten Island.'"

"An act relative to the Civil Code."

"An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony."

"An act to release to Josephine Robright the real estate of which Frederick Robright died seized."

"An act to legalize the resolution adopted at the last annual town meeting in the town of Olean, providing an appropriation by tax for the construction of a vault in the burial ground of that town."

"An act to repeal chapter 20 of article 1, title 19 of part 1 of the Revised Statutes, concerning brokers."

"An act entitled an act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town, for the construction of an iron bridge across the Hudson river, at Glens Falls, in said town."

"An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving and embellishing the public park in said city and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money."

"An act to authorize the court of oyer and terminer and court of sessions of the county of Kings, to sentence prisoners convicted in said courts of any offense to the penitentiary of said county, for any term for which they might be sentenced to a State prison."

"An act to release to Maria Allen the right, title and interest of the

people of the State of New York in and to certain real estate in the city of Brooklyn.”

“An act to legalize the official acts of Milo S. Day, a justice of the peace of the town of Harford, Cortland county.”

“An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga.”

“An act to legalize the acts of Charles D. Barrows as notary public.”

“An act to provide for an assessment for regulating, grading and sewerage parts of the Tenth avenue and Ninety-third street in the city of New York.”

“An act in relation to the improvement of the Croton aqueduct in the city of New York.”

“An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying-ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof.”

“An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue, from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same.”

“An act to amend section 10 of chapter 830 of the Laws of 1873, entitled ‘An act to legalize the adoption of minor children by adult persons,’ passed June 25, 1873.”

“An act to regulate fishing in the waters known as Cooper’s lake, in the town of Woodstock, Ulster county.”

“An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof.”

“An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town.”

“An act to authorize the city of Troy to refund a portion of its bonded debt.”

Senate, “An act to provide for a better system of records of the inmates of poor-houses and alms-houses.”

Senate, “An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office.”

Senate, “An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same.”

Senate, “An act to authorize the trustees of the village of Coopers-town to erect a building for the use of the fire department, trustees and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building.”

Senate, “An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof.”

Senate, “An act in relation to the purchase by the United States of certain lands at West Point, and the ceding jurisdiction of this State over said lands to the United States.”

Senate, “An act to amend an act entitled ‘An act to incorporate the village of Bath, in the county of Steuben,’ passed June 20, 1851.”

Mr. Speaker put the question whether the House would agree to refer said bills, and it was determined in the affirmative.

Mr. Pierson introduced a bill entitled "An act fixing the pay and compensation of Rollin B. Vose, superintendent of the express and mailing department of the Assembly for the year 1875," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

By unanimous consent, Mr. Petty presented a petition of the citizens of Suffolk, Kings and Queens counties praying for an appropriation for the purpose of uniting the bays of New York and Peconic by means of a canal on the south side of Long Island through the Great South bay; which was read and referred to the committee on ways and means.

Mr. Talmage introduced a bill entitled "An act providing for the refunding of moneys improperly paid for local improvements in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Braman introduced a bill entitled "An act to establish a board of fire commissioners of the village of West Troy, in the county of Albany," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Mr. Green introduced a bill entitled "An act to repeal section 10 of chapter 398 of the Laws of 1872," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. McGroarty introduced a bill entitled "An act to enable the city of Brooklyn to build piers for the accommodation of steamboat travel and other commercial purposes," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. McGroarty, said bill was ordered printed and to a third reading.

Mr. Burtis introduced a bill entitled "An act to amend an act entitled 'An act to establish a board of health in and for the city of Brooklyn,' passed March 20, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on public health.

Also, a bill entitled "An act to provide for the support and management of the poor in the county of Kings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

On motion of Mr. Burtis, said bill was ordered printed.

Mr. Cooke introduced a bill entitled "An act to amend chapter 290 of the Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Cooke, and by unanimous consent, said bill was ordered printed and to a third reading.

Mr. Christopher introduced a bill entitled "An act to provide for paying the expenses of the people and their relator in actions and proceedings prosecuted by them against town officers for violation or omission of official duty," which was read the first time, and by unanimous con-

sent was also read the second time, and referred to the committee on the judiciary.

Mr. Cleary introduced a bill entitled "An act to provide for the appointment of commissioners of a code of criminal procedure, and to revise, reform, simplify, arrange and consolidate the rules, practice, pleadings, forms and proceedings of the several courts of this State in all criminal actions, prosecutions and proceedings," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

Also, a bill entitled "An act for the relief of James Luther McCoy, and to authorize him to sign, execute and acknowledge instruments in writing in regard to his interest in the estate of his father, Luther McCoy, deceased, late of the city of Troy, N. Y.," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, on motion of Mr. Page, the bill entitled "An act to provide for a commission to investigate, consider and report upon the disposition to be made of the lateral canals," was being read a third time,

By unanimous consent, on motion of Mr. Page, said bill was amended as follows :

Strike out all of section 3 down to and including the second "and" in the third line.

Add at the end of section 4 the following: "The total compensation and expense of said commission hereby created shall not exceed the sum of ten thousand dollars."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 10 }

Those who voted in the affirmative, were

Barkley	Friend	Lincoln	Seward
Beardsley	Gallagher	Mackin	Shattuck
Berry	Green	McAfee	Sherman
Bordwell	Griffin	McGowan	Sherwood
Braman	Hammond	McGroarty	Shiel
Broas	Hanrahan	Merwin	Silverman
Brogan	Hauschel	J. W. Miller	Smith
Brown	Hess	W. Miller	Stauf
Burtis	Hinckley	Muller	Stephens
Calkins	Hogan	Oakley	Talmage
T. C. Campbell	Holmes	O'Keefe	G. Taylor
Christopher	Hussey	Page	W. F. Taylor
Cleary	W. Johnson	Peck	Tewksbury
Coffey	W. A. Johnson	Petty	Vedder
Cole	Keenan	Pierson	Vosburgh
Comstock	Kennaday	Prince	Wellington
Cooke	Kirk	Ransom	Wenzel

Daggett	Krack	Reilly	West
Daly	Kshinka	Rich	Witbeck
Davis	Lawrence	Sanford	Worth
Ely	Lawson	Schieffelin	Wurts
Faulkner	Lewis	Schuyler	Yost
Fay	Lillybridge	Scudder	

Those who voted in the negative, were

Alvord	Decker	Russell	Stacy
Bishop	Gedney	Schenck	Whitmore
Clark	Husted		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same over the Kill von Kull, at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points over Arthur kill or Staten Island Sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' passed May 26, 1873," with a message informing of concurrence in the passage of the same, with the following amendments:

"§ 2. Section four of said act is hereby amended so as to read as follows: The persons named in the first section of this act shall constitute the first board of directors of the corporation hereby created, and shall hold their places as such until the first Monday in January, in the year after the passage of this act, and until others shall be elected in their stead; and any vacancy may be filled by a majority of the remaining directors. They, or a majority of them, shall choose from their number a president, vice-president and treasurer, and appoint and employ such other officers and such agents and subordinates as they may deem necessary, and enact by-laws for the government and conduct of all matters that may appertain to the concerns of the said corporation. They may also provide by by-law the number of directors which shall hereafter have the management of the said corporation, provided, however, that the number of such directors shall not be less than nine."

Change the following sections to correspond.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Schieffelin
Badger	Ely	Kshinka	Schuyler

Berry	Faulkner	Law	Scudder
Bishop	Fay	Lawson	Seward
Bordwell	Friend	Lewis	Sherman
Bowen	Gallagher	Lillybridge	Sherwood
Braman	Gedney	Lincoln	Silverman
Brogan	Green	Mackin	Smith
Burtis	Griffin	McAfee	Stephens
Calkins	Hammond	McGroarty	Talmage
T. C. Campbell	Hanrahan	J. W. Miller	G. Taylor
T. J. Campbell	Hauschel	W. Miller	Tewksbury
Christopher	Hepburn	Muller	Vedder
Clark	Hess	Oakley	Vosburgh
Cleary	Hinckley	O'Keefe	Wellington
Coffey	Hogan	Page	Wenzel
Cole	Holmes	Petty	West
Comstock	Husted	Pope	Whitmore
Cooke	Ives	Rich	Worth
Costigan	W. A. Johnson	Roscoe	Wurts
Daly	Keenan	Russell	Yost
Davis			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Whitmore introduced a bill entitled "An act to provide for the support of paupers and criminals," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

Mr. Schieffelin introduced a bill entitled "An act to authorize the board of assessors in the city of New York to revise and correct the assessment for the outlet sewers in Eightieth street and other streets in said city," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

Mr. McGroarty introduced a bill entitled "An act to amend chapter 495 of the Laws of 1874, entitled 'An act in relation to certain assessments for sewers in the city of Brooklyn,' passed May 20, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. McGowan introduced a bill entitled "An act to further amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,' which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

On motion of Mr. Sherwood, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and the acts amendatory thereof," and the same ordered engrossed and to a third reading.

Mr. Tewksbury introduced a bill entitled "An act for the relief and benefit of Strykersville Cemetery Association," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

Also, presented a petition on the same subject; which was read and referred to the same committee.

Mr. Husted, from the committee on ways and means, to which was referred the bill introduced by Mr. Kshinka, Int. No. 785, entitled "An act to abandon the further use by the people of the State of New York of the buildings, lands and premises in the county of Albany used as a public arsenal, and to convey said buildings, lands and premises to the city of Albany," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Lincoln moved to take from the table the motion to reconsider the vote agreeing to the adverse report of the committee on ways and means to the bill entitled "An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended in furnishing substitutes, or in commutation, by the men who were drafted into the military service of the United States, and held to service in the several drafts under the enrollment act of the United States, entitled 'An act for enrolling and calling out the national forces, and for other purposes,' approved March 3, 1863, and the acts amendatory thereto, while the option of commutation by the payment of \$300 remained, and for the relief of the men who entered the service under said drafts."

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Lincoln moved to reconsider the vote agreeing to the adverse report of the committee, and that said bill be referred to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Reilly moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to authorize a recovery at law for repairs heretofore made to the pavement of Broadway, in the city of New York," was recommitted with instructions to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Reilly then moved a reconsideration of said vote.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 70 }
{ NOES 27 }

Those who voted in the affirmative, were

Alvord	Faulkner	Law	Shiel
Barkley	Fay	Lawrence	Silverman
Beardsley	Fish	Lawson	Slingerland
Benedict	Gallagher	Lincoln	Smith
Bennett	Gedney	Mackin	Speaker
Berry	Green	McGowan	Stauf
Braman	Griffin	McGroarty	Stephens
Broas	Hanrahan	Muller	Struble
Brogan	Hauschel	O'Keefe	Talmage
Brown	Hess	Page	G. Taylor

T. C. Campbell	Hinckley	Pierson	W. F. Taylor
T. J. Campbell	Hogan	Ransom	Vosburgh
Cleary	Holmes	Reilly	Wellington
Coffey	Keenan	Rich	Wenzel
Cole	Kennaday	Schenck	Witbeck
Costigan	Kirk	Schuyler	Worth
Daly	Krack	Scudder	Yost
Ely	Kshinka		

Those who voted in the negative, were

Badger	Davis	McAfee	Seward
Bishop	Decker	W. Miller	Sherman
Bordwell	Hammond	Pope	Stacy
Calkins	Hepburn	Roscoe	West
Clark	Hussey	Russell	Whitmore
Comstock	W. A. Johnson	Sanford	Willis
Daggett	Lillybridge	Schieffelin	

Mr. Speaker announced the question to be upon the motion of Mr. Schieffelin to recommit, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 18 }

Those who voted in the affirmative, were

Alvord	Faulkner	Kshinka	Scudder
Barkley	Fay	Lawrence	Shattuck
Beardsley	Fish	Lawson	Shiel
Benedict	Friend	Lewis	Silverman
Bennett	Gallagher	Lincoln	Slingerland
Berry	Gedney	Mackin	Smith
Bordwell	Green	McGowan	Speaker
Braman	Griffin	McGroarty	Stauf
Broas	Hanrahan	J. W. Miller	Stephens
Brogan	Hauschel	Muller	Struble
Brown	Hepburn	Oakley	Talmage
Calkins	Hess	O'Keefe	G. Taylor
T. C. Campbell	Hinckley	Page	W. F. Taylor
T. J. Campbell	Holmes	Pierson	Tewksbury
Cleary	Houghton	Ransom	Vosburgh
Coffey	Hussey	Reilly	Wellington
Cole	W. Johnson	Rich	Wenzel
Comstock	Keenan	Sanford	West
Costigan	Kennaday	Schenck	Worth
Daly	Kirk	Schuyler	Yost
Ely	Krack		

Those who voted in the negative, were

Badger	Ives	Peck	Seward
Bishop	W. A. Johnson	Pope	Stacy
Bowen,	Lillybridge	Russell	Whitmore
Decker	McAfee	Schieffelin	Wurts
Hammond	W. Miller		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. McGowan, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to further amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" and the same ordered to a third reading.

Mr. Coffey moved to take from the table the motion to reconsider the vote by which the bill entitled "An act to repeal chapter 502 of the Laws of 1873, entitled 'An act to amend section 3 of chapter 533 of the Laws of 1867, entitled An act for the relief of the Van Brunt Street and Erie Basin Railroad Company,'" was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

The question being on reconsidering the vote by which said bill was lost,

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative.

{ AYES 68 }
{ NOES 32 }

Those who voted in the affirmative, were

Barkley	Griffin	J. W. Miller	Stacy
Beardsley	Hammond	Muller	Stauf
Bennett	Hanrahan	O'Keefe	Stephens
Berry	Hauschel	Pierson	Struble
Bishop	Hess	Prince	Talmage
Braman	Hinckley	Ransom	G. Taylor
Broas	Hogan	Reilly	W. F. Taylor
Brogan	Houghton	Rich	Vedder
Cleary	Hussey	Schenck	Vosburgh
Coffey	Keenan	Schuyler	Waehner
Cole	Krack	Scudder	Wenzel
Costigan	Law	Shattuck	West
Daly	Lawrence	Shiel	Willis
Fay	Lawson	Silverman	Witbeck
Fish	Lewis	Slingerland	Worth
Friend	Lillybridge	Smith	Wurts
Gallagher	McGowan	Speaker	Yost

Those who voted in the negative, were

Alvord	Davis	W. A. Johnson	Roscoe
Benedict	Decker	Kshinka	Russell
Bowen	Faulkner	Lincoln	Schieffelin

Calkins	Gedney	Mackin	Seward
T. C. Campbell	Green	Merwin	Sherman
Clark	Holmes	W. Miller	Sherwood
Comstock	Husted	Page	Tewksbury
Daggett	Ives	Peck	Whitmore

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 63 }
{ NOES 41 }

Those who voted in the affirmative, were

Barkley	Friend	Muller	Silverman
Beardsley	Gallagher	Oakley	Slingerland
Bennett	Hanrahan	O'Keefe	Smith
Berry	Hausobel	Page	Speaker
Bishop	Hess	Peck	Stauf
Braman	Hinckley	Pierson	Talmage
Broas	Hogan	Prince	G. Taylor
Brogan	Hussey	Ransom	W. F. Taylor
Brown	Ives	Reilly	Waehner
Cleary	W. Johnson	Rich	Wenzel
Coffey	Keenan	Roscoe	West
Cole	Krack	Schenck	Willis
Costigan	Lawson	Schuyler	Witbeck
Daly	Lewis	Shattuck	Wurts
Ely	Lillybridge	Sherwood	Yost
Fish	McGowan	Shiel	

Those who voted in the negative, were

Alvord	Faulkner	Kshinka	Schieffelin
Badger	Fay	Law	Scudder
Benedict	Gedney	Lincoln	Seward
Bowen	Green	Mackin	Sherman
Calkins	Griffin	McAfee	Stacy
T. C. Campbell	Hepburn	Merwin	Stephens
Clark	Holmes	W. Miller	Struble
Comstock	Houghton	Pope	Tewksbury
Daggett	Husted	Russell	Vedder
Davis	W. A. Johnson	Sanford	Whitmore
Decker			

The Senate returned the bill entitled as follows :

"An act in relation to railroad corporations."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That the Posts of the Grand Army of the Republic of the city of Albany be allowed the use of regimental flags of Albany regiments from the Military Bureau on the annual Decoration Day of this year.

By unanimous consent, on motion of Mr. Vosburgh, said resolution was passed.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

Mr. Daly moved to discharge the committee on the judiciary from the further consideration of the bill entitled "An act creating the office of inspector of public works."

Mr. Alvord raised the point order that said motion was now out of order.

Mr. Speaker decided the point of order well taken.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. C. Campbell, Int. No. 653, entitled "An act to provide for the payment for the use and occupation of armories and drill rooms in the city and county of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Oakley, Int. No. 947, entitled "An act to appoint commissioners to erect a city hall in and for Long Island City, and to provide for the expenses of the same," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. J. Campbell, Int. No. 781, entitled "An act to prevent the commission of frauds in the purchase and sale of real estate," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Sherman, Int. No. 350, entitled "An act to establish police and fire departments in the city of Utica, and place the same under the direction of the mayor of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hanrahan, Int. No. 199, entitled "An act to authorize the common council of the city of Buffalo to order to be assessed and cause to be raised by local assessment the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breck-enridge street, in said city, upon and from the lands benefited thereby," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Worth, Int. No. 893, entitled "An act for the improvement of Myrtle avenue, in the city of Brooklyn," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Talmage, Int. No. 201, entitled "An act to provide for assessing and collecting the cost of lands taken for Prospect park in the city of Brooklyn," retaining its place on general orders, reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Silverman, Int. No. 898, entitled

"An act to alter the commissioners' map of the city of Brooklyn, by closing a part of the court-yard on Bushwick avenue," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Vosburgh, Int. No. 598, entitled "An act to enable the mayor of the city of Albany to convey certain lands and premises on the requisition of the board of public instruction of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Keefe, Int. No. 406, entitled "An act to increase the powers of the common council of the city of Brooklyn," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill, Int. No. 116, entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Bradley, Int. No. 216, entitled "An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York, chapter 590, Laws of 1872,' passed May 7, 1872," retaining its place on the calendar of third reading of bills, reported in favor of the passage of the same, which report was agreed to, and said bill ordered replaced on the calendar of third reading of bills.

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Hess, Int. No. 854, entitled "An act to amend an act entitled 'An act to improve and regulate the use of the Fourth avenue in the city of New York,' passed May 14, 1872," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Hammond, Int. No. 931, entitled "An act to amend section 10 of chapter 623, Laws of 1874, entitled 'An act to amend an act entitled An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Pope, Int. No. 933, entitled "An act to amend an act entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter,' passed April 29, 1868," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Braman, Int. No. 842, entitled "An act to authorize the president and trustees of the village of West Troy

to raise by tax upon the taxable property within said village, the sum of \$5.025.78, to pay the outstanding indebtedness of said village," reported in favor of the passage of a substitute bill entitled "An act to authorize the president and trustees of the village of West Troy to raise by tax upon the taxable property within said village, such sum or sums as are necessary to meet and pay the outstanding indebtedness of said village," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Shiel, Int. No. 715, entitled "An act to annex the village of West Mount Vernon, in the county of Westchester, to the village of Mount Vernon, in the county of Westchester," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Connelly, Int. No. 109, entitled "An act to amend an act entitled 'An act revising and amending an act entitled An act to incorporate the village of Ulster, passed April 10, 1855, as amended by chapter 847 of the Laws of 1866,' passed April 28, 1866," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Bradley, Int. No. 125, entitled "An act to incorporate the Hornellsville fire department," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Shiel, Int. No. 870, entitled "An act in relation to the benevolent fund of the late volunteer fire department of the late town of Morrisania, now the Twenty-third ward of the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Kshinka, Int. No. 910, entitled "An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Wood, Int. No. 168, entitled "An act to amend an act entitled 'An act to amend an act entitled An act to provide for the incorporation of religious societies, passed April 5, 1813, and supplementary thereto,' passed March 29, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kirk, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Ray, printed No. 163, entitled "An act to amend an act entitled 'An act to incorporate the Evangelical Lutheran Synod of the State of New York,' passed April 29, 1868," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schuyler, from the committee on banks, to which was referred the

bill introduced by Mr. Bennett, Int. No. 928, entitled "An act to amend chapter 821 of the Laws of 1873, entitled 'An act to amend an act entitled An act to incorporate the Eighth Ward Savings Bank of the city of New York,' passed March 22, 1871, and to change its name to Fifth Avenue Savings Bank, passed April 29, 1873," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Schuyler, from the committee on banks, to which was recommended the bill entitled "An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," retaining its place on third reading of bills, reported in favor of the passage of the same, which report was agreed to, and said bill ordered replaced on the calendar of third reading of bills.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Barkley, Int. No. 652, entitled "An act to authorize the erection and construction of gas works in the village of Athens," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to authorize the board of trustees of the village of Athens, in the county of Greene, to permit gas pipes to be laid in the streets of said village," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the bill introduced by Mr. Keenan, Int. No. 423, entitled "An act to regulate the sale of malt liquors," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Cleary rose in his place and dissented from the conclusions of the majority of said committee.

Mr. Cleary, from the committee on trade and manufactures, to which was referred the Senate bill, Int. No. 100, entitled "An act to amend chapter 657 of the Laws of 1871, entitled 'An act to amend the act passed February 17, 1848, entitled An act to authorize the formation of corporations for manufacturing, mining, chemical or mechanical purposes,' passed April 20, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Lawrence, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Souder, Int. No. 841, entitled "An act to amend an act entitled 'An act to amend the act for the protection and improvement of the Seneca Indians residing on the Cattaraugus and Allegany Reservations in this State,' passed November 14, 1847," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Keenan, from the committee on public lands, to which was referred the bill introduced by Mr. Bowen, Int. No. 742, entitled "An act relating to lands in the Old Military tract, sold by the State Engineer and Surveyor," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 924, entitled "An

act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the laws relative thereto,' " reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Barrow, Int. No. 656, entitled "An act to amend chapter 288 of the Laws of 1840, entitled 'An act respecting State stocks, the Commissioners of the Canal Fund, and the Canal Board,' " reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Daly, Int. No. 734, entitled "An act creating the office of inspector of public works," retaining its place on the calendar of third reading of bills, reported the same to the House, which report was agreed to, and said bill ordered replaced on the calendar of third reading of bills.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ray, Int. No. 86, entitled "An act to authorize the New York and Hudson Steamboat Company to mortgage its property," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 104, entitled "An act to amend part 3, chapter 9, title 1, article 2 of the Revised Statutes, relating to the writ of habeas corpus," reported adversely thereto, which report was agreed to.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Tobey, Int. No. 119, entitled "An act legalizing certain proceedings of a town meeting held in the town of Moriah, Essex county, on the first Tuesday of March, 1875," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act in relation to the canals."

"An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers of the Canal Board and of the Board of Canal Commissioners, and to pay certificates of indebtedness on interest now outstanding."

"An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874."

"An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof."

"An act for the better suppression of vice and obscene literature."

"An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873."

"An act to authorize overseers of highways in the several road districts of this State to cause the removal of fences along public highways for the purpose of preventing the drifting of snow into such highways."

"An act in relation to Congress Hall."

Mr. Burtis moved that the committee on affairs of cities be discharged from the further consideration of the bill entitled "An act to provide for the support and management of the poor in the county of Kings," and that the same be referred to the committee on internal affairs.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. W. Johnson, and by unanimous consent,

Resolved (if the Senate concur), That the following regiments and parts of regiments and batteries of Oswego county be allowed the privilege, and are hereby authorized, to take the colors of said regiments, parts of regiments and batteries from their place of deposit to Oswego county the coming summer, to be used at their annual reunion; provided that one of the members of Assembly of Oswego county, or some one whom he shall designate, shall receive said colors from the department and return them thereto, subject to such restrictions as the Adjutant-General may prescribe. Regiments and batteries: Twenty-fourth New York Cavalry, Ames' Battery, Twenty-fourth, Eighty-first, One Hundred and Tenth, One Hundred and Forty-seventh, One Hundred and Eighty-fourth, and One Hundred and Eighty-ninth New York Volunteer Infantry.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act in relation to the powers of boards of supervisors in the several counties of the State, in the election or appointment of railroad commissioners," with a message informing of concurrence in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

"SECTION 1. Whenever, and as often as the office of railroad commissioner in any town or city of this State shall become vacant by expiration of term or otherwise, the county judge of the county in which such town or city is situated, shall fill such office by the appointment of a resident freeholder of said town or city. The commissioner so appointed shall hold his office for five years, and until his successor shall be appointed and shall have duly qualified.

"§ 2. The commissioners so appointed shall have the same powers and discharge the same duties and be subject to the same liabilities, as now provided by law, in relation to each of said counties, or in relation to the respective towns therein."

The amendment having been read,

Mr. Ely moved to non-concur in the same, and that a committee of conference be appointed thereon, and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Messrs. Ely, Roscoe, Holmes, Prince and Vedder were appointed as such committee.

Ordered, That the Clerk return said bill to the Senate, with a message informing of non-concurrence in their amendment, and request a committee of conference thereon.

On motion of Mr. Alvord, and by unanimous consent, the bill entitled "An act to authorize a tax of one-fifth of a mill per dollar of valuation for the payment of the awards of the Canal Appraisers of the Cana

Board and of the Board of Canal Commissioners, and to pay certificates of indebtedness on interest now outstanding," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Fay	Lincoln	Shattuck
Barkley	Fish	Mackin	Sherman
Beardsley	Friend	McAfee	Sherwood
Benedict	Gallagher	McGroarty	Shiel
Bennett	Gedney	Merwin	Slingerland
Berry	Green	J. W. Miller	Smith
Bishop	Griffin	W. Miller	Speaker
Bordwell	Hammond	Muller	Stacy
Braman	Hanrahan	Oakley	Stauf
Broas	Hauschel	O'Keefe	Struble
Burtis	Hepburn	Page	Talmage
Calkins	Hess	Petty	G. Taylor
T. C. Campbell	Holmes	Pierson	W. F. Taylor
T. J. Campbell	Houghton	Pope	Tewksbury
Clark	Hussey	Prince	Vedder
Cleary	Husted	Ransom	Waehner
Cole	Ives	Reilly	Wenzel
Comstock	W. Johnson	Roscoe	West
Costigan	W. A. Johnson	Russell	Whitmore
Daly	Keenan	Schenck	Willis
Davis	Kirk	Schieffelin	Witbeck
Decker	Kshinka	Schuyler	Worth
Ely	Lawson	Soudder	Yost
Farrar	Lillybridge	Seward	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, on motion of Mr. Kennaday, the committee of the whole was discharged from the further consideration of the bill entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," and the same was ordered to a third reading.

The bill entitled "An act in relation to the canals," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Faulkner	Lewis	Schieffelin
Badger	Fay	Lillybridge	Schuyler
Barkley	Fish	Lincoln	Seward
Benedict	Friend	McAfee	Shattuck
Berry	Gallagher	McGowan	Sherman
Bishop	Gedney	McGroarty	Sherwood
Bordwell	Green	Merwin	Shiel
Braman	Griffin	J. W. Miller	Slingerland
Broas	Hauschel	W. Miller	Smith
Brown	Hepburn	Muller	Stacy
Burtis	Hess	O'Keefe	Stauf
Calkins	Holmes	Page	Struble
T. C. Campbell	Houghton	Petty	G. Taylor
T. J. Campbell	Hussey	Pierson	Tewksbury
Clark	Husted	Pope	Waehner
Cleary	Ives	Prince	Wenzel
Comstock	W. Johnson	Reilly	West
Daly	W. A. Johnson	Roscoe	Witbeck
Davis	Keenan	Russell	Worth
Decker	Kennaday	Sanford	Wurts
Ely	Kshinka	Schenck	Yost
Farrar	Law		

For the negative,

Hogan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 399 of the Laws of 1874, entitled 'An act to authorize a tax of seven-eighths of a mill per dollar of valuation of the year 1874, for the construction of new work upon and extraordinary repairs of the canals of this State,' passed May 9, 1874," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 94 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Kshinka	Schieffelin
Badger	Farrar	Lawrence	Schuyler
Barkley	Faulkner	Lewis	Souder
Beardsley	Fay	Lillybridge	Seward
Benedict	Fish	Lincoln	Shattuck
Berry	Friend	McAfee	Sherman
Bishop	Gallagher	McGowan	Sherwood
Bordwell	Gedney	McGroarty	Shiel

Braman	Green	Merwin	Slingerland
Broas	Griffin	J. W. Miller	Smith
Brown	Hammond	W. Miller	Speaker
Calkins	Hanrahan	Muller	Struble
T. C. Campbell	Hess	Oakley	G. Taylor
T. J. Campbell	Hogan	O'Keefe	W. F. Taylor
Clark	Holmes	Page	Tewksbury
Cleary	Houghton	Petty	Waehner
Coffey	Hussey	Pierson	Wenzel
Cole	Husted	Pope	West
Comstock	Ives	Prince	Whitmore
Costigan	W. Johnson	Reilly	Willis
Daggett	W. A. Johnson	Roscoe	Worth
Daly	Keenan	Russell	Wurts
Davis	Kennaday	Sanford	Yost
Decker	Krack		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to authorize municipal corporations holding the first mortgage bonds of the Rochester and State Line Railway Company to exchange the same for the second mortgage bonds of said company," with a message informing of concurrence in the passage of the same, with the following amendments:

Add at the end of section 1 the following:

"Whenever a guaranty is given by the directors of the Rochester and State Line Railroad Company, to be approved by the mayor of the city of Rochester, that said railroad shall be ready for operation by January 1, 1877."

Add at the end of section 2 the following:

"Whenever a guaranty is given by the directors of the Rochester and State Line Railroad Company, to be approved by said commissioners, or a majority of them, that said railroad shall be ready for operation by January 1, 1877."

The amendments having been read,

Mr. Green moved to non-concur in the same, and that a conference committee be appointed.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. Speaker then put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Ely	Kshinka	Seward
Badger	Farrar	Law	Shattuck
Barkley	Faulkner	Lawrence	Sherman
Beardsley	Fay	Lawson	Sherwood
Benedict	Friend	Lewis	Shiel
Bennett	Gallagher	Lillybridge	Speaker

Berry	Gedney	Lincoln	Struble
Bishop	Griffin	McAfee	Talmage
Bordwell	Hammond	McGowan	G. Taylor
Braman	Hanrahan	McGroarty	W. F. Taylor
Broas	Hauschel	Merwin	Tewksbury
Brown	Hepburn	J. W. Miller	Vedder
T. C. Campbell	Hogan	Page	Waehner
T. J. Campbell	Holmes	Petty	Wellington
Clark	Houghton	Pierson	Wenzel
Cleary	Husted	Reilly	West
Cole	Ives	Rich	Whitmore
Comstock	W. Johnson	Roscoe	Willis
Costigan	Keenan	Sanford	Witbeck
Daly	Kennaday	Schieffelin	Worth
Davis	Krack	Souder	Wurts
Decker			

Those who voted in the negative, were

Green Russell

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Shiel offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor, requesting the return of Assembly bill No. 131, entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," for amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The privileges of the floor were extended to Hon. A. X. Parker.

By unanimous consent, Mr. T. C. Campbell presented a petition of merchants of New York, members of the Produce Exchange, for a reduction of canal tolls; which was read and referred to the committee on canals.

The hour of 2 o'clock having arrived, the House took a recess until 7½ o'clock P. M.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bills entitled as follows:

"An act to amend chapter 37 of the Laws of 1848, entitled 'An act to authorize the formation of gas-light companies.'"

"An act to regulate the sale of baled hay and straw in the State of New York."

"An act to authorize the supervisors of Kings county to meet deficiencies in the appropriations made for the relief and support of the poor for the year 1875."

Ordered, That the Clerk return said bills to the Senate.

A message from the Senate was received and read, informing of agreement to the report of the committee of conference on the bill entitled as follows :

"An act to amend an act entitled "An act to establish regulations for the port of New York," passed April 16, 1857."

Ordered, That the Clerk return said bill to the Senate.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to the State prisons and penitentiaries of this State," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on State prisons.

"An act to define and limit the liens of contractors, laborers and others, upon real estate in the city and county of New York, and provide for the enforcement thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

"An act authorizing the common council of the city of Poughkeepsie to sell and convey certain real estate owned by said city," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Lawson introduced a bill entitled "An act relative to the powers of the Buffalo Street Railroad Company and the Buffalo East Side Railroad Company of the city of Buffalo," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Lawson, said bill was committed to the committee of the whole.

Mr. Badger, from the sub-committee of the whole, submitted a report in writing; which was laid on the table and ordered printed.

(*See Doc. No. 126.*)

Mr. Speaker announced the special order, being the bill entitled as follows :

"An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors."

The House then resolved itself into a committee of the whole on said bill, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Schuyler, from said committee, reported progress on the same, and asked and obtained leave to sit again.

Mr. Sherman moved to make said bill a special order for to-morrow evening, immediately upon the assembling of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

On motion of Mr. Hammond, at 10 o'clock and 10 minutes, the House adjourned.

THURSDAY, APRIL 15, 1875.

The House met pursuant to adjournment.

No clergyman present.

The reading of the journal of yesterday was dispensed with.

This being the day assigned by the rules for the consideration of general orders,

Mr. Oakley offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee of the whole be discharged from the further consideration of Senate bill No. 134, entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,' passed April 13, 1871," and the same ordered to a third reading.

Mr. Hammond moved to amend by adding thereto the words "and also Assembly bill No. 360, G. O. 373, entitled 'An act authorizing the taxation of life, fire and marine insurance companies.'"

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hammond, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution, as amended, and it was determined in the affirmative.

By unanimous consent, Mr. Speaker presented a remonstrance against the amendment of the charter of the city of Elmira; which was read and referred to the committee on affairs of cities.

The House then resolved itself into a committee of the whole on the bills entitled as follows:

"An act to amend chapter 585 of the Laws of 1874, entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway for the purposes of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874."

"An act to amend an act entitled 'An act to regulate the size of apple, pear and potato barrels,' passed May 12, 1862."

"An act in relation to the Fifth avenue in the city of New York, and to the improvement thereof."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Wurts, from said committee, reported in favor of the passage of said first mentioned bill; which report was agreed to, and said bill ordered engrossed and to a third reading.

Mr. Wurts, from said committee, also reported that they had stricken out the title of said second mentioned bill.

The question being on agreeing to said report,

Mr. Comstock moved to disagree with the same, that the title be restored, and said bill ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Wurts, from said committee, also reported that they had stricken out the title and sections of said third mentioned bill.

The question being on agreeing to said report,

Mr. Brogan moved to disagree with the same, that the title and sections be restored, and said bill ordered engrossed and to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 26 }
{ NOES 65 }

Those who voted in the affirmative, were

Alvord	Cleary	Kirk	Ransom
Barkley	Coffey	Krack	Reilly
Bennett	Fay	Lawrence	Slingerland
Berry	Fish	Lewis	Vedder
Bordwell	Friend	Lillybridge	Vosburgh
Brogan	Hauschel	Lincoln	Witbeck
T. J. Campbell	Keenan		

Those who voted in the negative, were

Badger	Ely	McGowan	Soudder
Beach	Farrar	McGroarty	Shattuck
Beardsley	Gedney	Merwin	Sherman
Benedict	Green	W. Miller	Sherwood
Bishop	Griffin	Muller	Shiel
Bowen	Hammond	Page	Stauf
Burtis	Hess	Peck	Stephens
Calkins	Hinckley	Petty	Talmage
T. C. Campbell	Hogan	Pope	G. Taylor
Clark	Holmes	Prince	W. F. Taylor
Comstock	Hussey	Roscoe	Tewksbury
Cooke	W. Johnson	Russell	Waehner
Costigan	W. A. Johnson	Sanford	Wellington
Daggett	Kennaday	Schenck	West
Daly	Mackin	Schieffelin	Whitmore
Decker	McAfee	Schuyler	Willis
Dessar			

Mr. Speaker then put the question whether the House would agree to said report, and it was determined in the affirmative.

Mr. Brogan moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Pursuant to a resolution adopted April 8, the Speaker and Clerk submitted the following list of bills as referable to the sub-committee of the whole, and recommend the adoption of the following resolution:

Resolved, That there be referred to the sub-committee of the whole the bills entitled as follows:

"An act regulating the erection and maintenance of fire-escapes upon certain buildings, and for the better security of life in case of fire."

"An act to amend chapter 490 of the Laws of 1874, entitled 'An act to amend chapter 504 of the Laws of 1878, entitled An act in relation

to a certain highway in the county of Hamilton, appropriating certain non-resident highway moneys thereto, and repealing acts heretofore passed in relation thereto, passed May 14, 1873,' passed May 20, 1874."

"An act to amend section 1 of title 6 of chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' passed February 28, 1874."

"An act to amend chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water,' passed April 25, 1874."

"An act to extend the time for the completion of the act to authorize the construction of a railroad from, at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer."

"An act to confirm, reduce and levy a certain assessment for improving Morton street in the city of Albany."

"An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie Railroad by the New York and New England Railroad Company.'"

"An act in relation to parsonages in certain cases."

"An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town, and of the debts thereof."

"An act to amend section 10 of chapter 623 of the Laws of 1874, entitled 'An act to amend an act entitled An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario.'"

"An act in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city."

"An act to enlarge the jail limits of the county of Yates."

"An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851."

"An act to provide for the payment of services rendered in the opening and laying out of streets, avenues and public places in the city of New York."

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed May 20, 1874."

"An act to legalize the acts of Ensworth D. Babcock as notary public."

"An act to open and extend Morrell street, in the city of Brooklyn, from Flushing avenue to Broadway, and to open and extend Lewis avenue in said city from Floyd street to Broadway."

"An act to change the name of the village of Sandy Hill to that of Hudson Falls."

"An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870, in reference to acquiring title to real estate for burial purposes.'"

"An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings.'"

"An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda.'"

"An act to amend section 67 of article 2, chapter 1, part 2, title 2 of the Revised Statutes, in relation to trusts."

"An act to provide for the improvement of portions of Commercial street and Union place, in the city of Brooklyn."

"An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,' passed April 14, 1869."

"An act to provide for the payment of jurors in protracted trials."

"An act to provide for the election of a police constable in the village of McGrawville, Cortland county."

"An act for the relief of the Cypress Hills Cemetery."

Senate, "An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon."

Senate, "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter.'"

Senate, "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' passed March 25, 1874."

Senate, "An act to confer additional powers on the common council of the city of Cohoes."

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 242 of the Laws of 1872."

Mr. Speaker put the question whether the House would agree to refer said bills, and it was determined in the affirmative.

The Senate returned the resolution calling from the Governor for amendment the bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," with a message informing of concurrence in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Prince, Int. No. 737, entitled "An act in relation to water companies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Costigan, Int. No. 453, entitled "An act for the better regulation of railroad companies, and to protect the rights of minority stockholders," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Decker, Int. No. 198, entitled "An act to incorporate and change the name of the Associate Congregation

of Bovina, and to authorize said society to take and hold by gift, devise, purchase or otherwise, real and personal estate, and to sell their glebe," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Parmenter, Int. No. 76, entitled "An act to incorporate the West Sandlake Fire Company, in the town of Sandlake, Rensselaer county," reported adversely thereto, as covered by general law, which report was agreed to.

By unanimous consent,

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Ray, Int. No. 123, entitled "An act to amend an act entitled 'An act for the incorporation of villages,' passed April 20, 1870," reported in favor of the passage of the same, with the title amended so as to read, "An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. McGroarty called from the table the report of the sub-committee of the whole, in favor of the passage of the bills entitled as follows:

"An act to regulate the use of slips, wharves and piers in the city of New York." With the following amendment:

Add to the end of the first section the following: "Such streets shall be constructed subject to the regulations and under the authority of the superintendent of buildings and the department of docks."

"An act to confirm the election of village trustees in certain cases, and to provide for determining, by lot, their respective terms of office."

"An act in relation to Riverside avenue and park in the city of New York."

"An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga."

"An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying-ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof." With the following amendment:

Strike out in line 6 of section 1, the word "eighty," and insert the word "fifty."

"An act for the preservation of fish in Salmon river, in Oswego county." With the following amendments:

Insert in line 6 of section 1, after the word "Ontario," the words "or one-fourth of a mile beyond said light-house,"

Insert after the word "Ontario," in line 7 of same section, the words "or in Deer creek in said county, within a distance of one-fourth of a mile of its outlet into Lake Ontario, and extending up said creek a distance of one mile from its mouth."

Strike out all after the word "same," in line 8 of section 2, and insert the words "The fine collected for said offense or offenses shall be paid to the overseer of the poor of the town in which the offense is committed."

Amend the title so as to read "An act for the preservation of fish in Salmon river and Deer creek, in Oswego county."

Senate, "An act to authorize the trustees of the village of Coopers-town to erect a building for the use of the fire department, trustees and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building."

"An act to repeal chapter 20 of article 1, title 19 of part 1 of the Revised Statutes, concerning brokers."

"An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims."

"An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house." With the following amendment:

Add to section 1 the following: "And the balance on the 1st day of March, 1878."

"An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving and embellishing the public park in said city and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money."

"An act to authorize the court of oyer and terminer and court of sessions of the county of Kings, to sentence prisoners convicted in said courts of any offense to the penitentiary of said county, for any term for which they might be sentenced to a State prison."

"An act to provide for an assessment for regulating, grading and sewerage parts of the Tenth avenue and Ninety-third street in the city of New York."

"An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town." With the following amendment:

Add as a new section the following: "§ 6. This act shall take effect immediately."

"An act to amend an act entitled 'An act to alter the system of repairing the highways,' passed May 2, 1873." With the following amendments:

Strike out of section 1, in lines 3 and 4, the words "passed May 2, 1873."

Amend the title so as to read, "An act to amend chapter 375 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways.'"

"An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof." With the following amendment:

Section 1, line 8, after the words "and the" insert the words "commissioner or."

Senate, "An act to provide for a better system of records of the inmates of poor-houses and alms-houses."

"An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego." With the following amendments:

Section 1, line 6, after the word "Oswego" insert the words "and city of Oswego." Line 10, same section, after the word "stenographer," insert the words "for the county of Oswego." At the end of line 11, same section, insert the words "as may be chargeable to the county of Oswego." Section 2, line 5, strike out the word "ten" and insert the word "six."

"An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue, from its present southern termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same."

"An act permitting fishing with gill nets for suckers, in Schuyler's lake."

"An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons,' passed June 25, 1873." With the following amendment:

Amend the title so as to read, "An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons.'"

Senate, "An act to amend an act entitled 'An act to incorporate the village of Bath, in the county of Steuben,' passed June 20, 1871." With the following amendments:

Strike out in lines 4 and 5 of section 1, engrossed bill, the words "passed June 20, 1851."

Amend the title so as to read, "An act to amend chapter 264 of the Laws of 1857, entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben.'"

"An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging wells for the fire department in said village."

"An act to amend chapter 809 of the Laws of 1872, entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush, in Kings county.'"

Senate, "An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof."

"An act in relation to the improvement of the Croton aqueduct in the city of New York."

"An act to authorize the city of Troy to refund a portion of its bonded debt."

"An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony."

"An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same."

Which report was agreed to, and said bills severally ordered engrossed and to a third reading.

On motion of Mr. Kennaday,

Resolved (if the Senate concur), That a respectful message be sent to his Excellency the Governor requesting the return of Assembly bill No. 59, entitled "An act to provide for the better care of pauper and destitute children," for amendment.

Ordered, That the Clerk deliver said resolution to the Governor.

By unanimous consent, Mr. Gedney offered for the consideration of the House a resolution, in the words following:

Resolved That Assembly bill No. 305, entitled "An act to amend the charter of the American Institute of the city of New York," be referred to the first committee of the whole not full.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the negative, two-thirds of all the members present not voting in favor thereof.

Mr. Braman offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly bill, G. O. 540, entitled "An act to authorize the mayor of the city of Albany to sell certain public buildings on the requisition of the board of public instruction," be recommitted to the committee on affairs of cities, retaining its place on general orders.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. Griffin, Int. No. 916, entitled "An act to change the commissioners for the construction of a bridge across the Hudson river at or near the mouth of North creek, in Warren county," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Ely, from the committee on roads and bridges, to which was referred the bill introduced by Mr. West, Int. No. 880, entitled "An act to amend an act entitled 'An act to incorporate the Mechanicville Bridge Company, for the purpose of constructing and maintaining a bridge over the Hudson river, between the village of Mechanicville and the town of Schaghticoke,' passed May 6, 1872," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicville Bridge Company, for the purpose of constructing a bridge over the Hudson river between the village of Mechanicville and the town of Schaghticoke,'" which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Johnson, Int. No. 186, entitled "An act to amend an act entitled 'An act to amend, revise and consolidate the laws in relation to the village of Seneca Falls, in the county of Seneca,' passed April 20, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, on motion of Mr. Hogan, the committee of the whole was discharged from the further consideration of said bill, and the same ordered to a third reading.

By unanimous consent,

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. King, Int. No. 130, entitled "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof, passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above mentioned acts," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Seward, Int. No. 320, entitled "An act confirming the New York Elevated Railroad Company in its title to its

franchise, and requiring it to comply with existing laws," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to authorize and require the New York Elevated Railroad Company to continue and complete its railroad in the city of New York, and to regulate the construction, operation and management thereof," which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. Mackin, from the committee on railroads, to which was referred the bill introduced by Mr. Ely, Int. No. 934, entitled "An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Coopers-town and Susquehanna Valley Railroad Company,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Friend, Int. No. 122, entitled "An act providing for the disposition of excise moneys in the several towns of Orange county, except the city and town of Newburgh," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Calkins, Int. No. 919, entitled "An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county,' reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Oakley, Int. No. 906, entitled "An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes, in the town of Newtown, Queens county,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the bill introduced by Mr. Lincoln, Int. No. 758, entitled "An act to enable the several cities and towns of the State, which have not already done so, to refund the money expended in furnishing substitutes, or in commutation, by the men who were drafted into the military service of the United States and held to service in the several drafts under the enrollment act of the United States, entitled 'An act for enrolling and calling out the national forces, and for other purposes,' approved March 3, 1863, and the acts amendatory thereto, while the option of commutation by the payment of \$300 remained, and for the relief of the men who entered the service under said drafts," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent,

Mr. W. Johnson, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Parmenter, printed No. 117, entitled "An act to amend chapter 844 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 18, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, on motion of Mr. Ely, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend chapter 758, entitled An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad," and the same ordered printed and to a third reading.

The hour of 2 o'clock having arrived, the House took a recess until 7½ o'clock P. M.

HALF-PAST SEVEN O'CLOCK.

The House again met.

The Senate returned the resolution relative to granting use of flags to regiments and batteries at Oswego, with a message informing of concurrence in the passage of the same.

Ordered, That the Clerk transmit said resolution to the Adjutant-General.

The Senate returned the bill entitled "An act in relation to the powers of boards of supervisors in the several counties of the State, in the election or appointment of railroad commissioners," with a message informing that they assent to a committee of conference thereon, and have appointed on the part of the Senate Messrs. Gross, Tobey and McGowan as such committee.

The Senate returned the bill (recalled from the Governor for amendment) entitled "An act to amend chapter 127 of the Laws of 1859, entitled 'An act to increase the number of coroners in Queens county,'" with a message informing of a reconsideration of the vote on the final passage of said bill, and the passage of the same as amended by the Assembly.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the Senate bill entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cataraugus Reservation, and to provide for its management and maintenance," with a message informing of non-concurrence in the amendments of the Assembly thereto, and that they have appointed a committee of conference thereon, consisting of Messrs. Dow, Laning and Wood, and request a like committee on the part of the Assembly.

Mr. Hammond moved that said request be granted, and that a like committee be appointed on the part of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed Messrs. Hammond, T. C. Campbell, Benedict, Petty and Badger as such committee.

The Senate returned the bills entitled as follows :

"An act to amend chapter 619 of the Laws of 1873, entitled 'An act to incorporate the Staten Island and New Jersey Suspension Bridge and Railroad Company, for the purpose of maintaining and constructing suspension bridges, appurtenances and approaches to the same over the Kill von Kull, at a point or points between the village of New Brighton, Richmond county, and at a point or points at or near Constable's Point, in the State of New Jersey, and at a point or points over Arthur kill or Staten Island sound, between the town of Westfield, Richmond county, and Middlesex county, in the State of New Jersey, and also for the purpose of constructing and maintaining a railroad over and across said bridges and to and through the center of Staten Island, Richmond county, to and from the points above named,' passed May 26, 1873."

"An act to release the right, title and interest of the people of the State of New York in and to certain real estate in the city of New York to Julia A. Cosby, widow, and John E. Cosby, Colbert M. Cosby and Heintzelmann B. Cosby, heirs-at-law of Edmund Cosby, deceased."

"An act to enable Ann Noble to take and hold real estate, and to release to her the interest and title in lands escheated to the State."

"An act making an appropriation to pay the expenses of the collection of tolls, superintendence, ordinary repairs and maintenance of the canals for the fiscal year commencing on the first day of October, 1875."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows :

"An act to amend chapter 446 of the Laws of 1874, entitled 'An act to revise and consolidate the statutes of the State relating to the care and custody of the insane, the management of the asylum for their treatment and safe keeping, and the duties of the State Commissioner in Lunacy,' passed May 12, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act in relation to railroad corporations," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

"An act to amend an act entitled 'An act in relation to the salary of the supervisors of Albany county,' passed May 3, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to release the right, title and interest of the people of the State of New York in and to certain real estate, of which James Gillen died seized, to Elizabeth Ryall, late widow of the said James Gillen, deceased, and now wife of Christopher Ryall," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

"An act to amend an act entitled 'An act in relation to orphan asylum societies at Brooklyn,' passed March 7, 1848," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on charitable and religious societies.

"An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Norwood,"

which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Alvord, from the committee on ways and means, to which was referred the bill introduced by Mr. Kirk, Int. No. 537, entitled "An act to amend an act to provide for the support and care of State paupers, passed June 7, 1873," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to amend chapter 661 of the Laws of 1873, entitled 'An act to provide for the support and care of State paupers,'" which report was agreed to.

On motion of Mr. Alvord, and by unanimous consent, said bill was ordered to a third reading.

By unanimous consent, on motion of Mr. Gedney, the bill entitled "An act to amend the charter of the American Institute of the city of New York," was referred to the first committee of the whole not full.

By unanimous consent, Mr. Speaker introduced a bill entitled "An act to confirm and legalize certain acts of the common council of the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Bradley introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the city of Brooklyn, and the various amendments thereof,' passed June 28, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Also, by unanimous consent, a bill entitled "An act to amend an act entitled 'An act relating to certain assessment proceedings in the city of Brooklyn, and providing for payment of work done thereunder,' passed May , 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Alvord presented a remonstrance of L. Clary and others against the bill creating a State board of health; which was read and referred to the committee on public health.

By unanimous consent, Mr. Lawson introduced a bill entitled "An act for the preservation of fish in the Niagara river," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Bishop introduced a bill entitled "An act to restore to the farmers the portions of land taken for the Chenango canal extension and not paid for or contracted to be paid for by the State, and to provide for the appraisement of the damages done to said lands," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on canals.

By unanimous consent, Mr. Faulkner presented a petition and remonstrance of citizens of Avon, for and against amendment of the village charter; which were read and referred to the committee on affairs of villages.

By unanimous consent, Mr. Lawson presented three petitions of residents of the county of Erie, asking for the repeal of chapter 436 of the Laws of 1874, entitled "An act to regulate the practice of medicine and surgery in the State of New York;" which were read and referred to the committee on public health.

By unanimous consent, on motion of Mr. Sherwood, the committee of

the whole were discharged from the further consideration of the bill entitled "An act to amend an act entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chanango Canal extension which lies south of the Susquehanna river,' passed June 26, 1873," and the same ordered engrossed and to a third reading.

Mr. McGroarty from the sub-committee of the whole, presented a report in writing; which was laid on the table and ordered printed.

(See Doc. No. 128.)

Mr. Speaker announced the special order, being the bill entitled as follows:

"An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors."

And after some time spent therein, Mr. Speaker resumed the chair, and Mr. Schuyler, from said committee, reported in favor of the passage of said bill, with amendments; which report was agreed to, and said bill ordered engrossed and to a third reading.

The Senate returned the bill entitled as follows:

"An act to authorize municipal corporations holding the first mortgage bonds of the Rochester State Line Railway Company to exchange the same for the second mortgage bonds of said company."

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the resolution requesting the Governor to return the Assembly bill entitled "An act to provide for the better care of pauper and destitute children," for amendment, with a message informing of concurrence in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

By unanimous consent, Mr. Speaker introduced a bill entitled "An act to amend and consolidate the several acts relating to the city of Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Bennett introduced a bill entitled "An act to amend section 2 of chapter 508 of the Laws of 1874, entitled 'An act to authorize the construction of a railway from Vesey street through certain streets in the city of New York to South ferry,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on railroads.

Also, by unanimous consent, a bill entitled "An act to amend chapter 742 of the Laws of 1871, entitled 'An act in relation to storage and the keeping of combustible material in the city of New York, the use and control of the fire alarm telegraph, the incumbrance of hydrants and other purposes connected with the prevention and extinguishment of fires therein, and imposing certain powers and duties upon the board of fire commissioners of said city,' passed April 26, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Sherman presented a petition of Wm. Blackie and others of the city of Utica, praying for the passage of an accompanying bill to regulate the official printing of that city; which was read and referred to the committee on affairs of cities.

By unanimous consent, Mr. Houghton introduced a bill entitled "An act to amend an act entitled 'An act to amend the charter of the village

of Saratoga Springs, and the several acts amendatory thereof,' passed March 26, 1866," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

By unanimous consent, Mr. J. W. Miller introduced a bill entitled "An act for the relief of Wheeler H. Bristol, late State Treasurer," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

On motion of Mr. Waehner, at 10 o'clock and 10 minutes, the House adjourned.

FRIDAY, APRIL 16, 1875.

The House met pursuant to adjournment.

Prayer by Rev. Mr. Walsh.

The reading of the journal of yesterday was dispensed with.

The Senate returned the bill entitled as follows:

"An act to amend chapter 127 of the Laws of 1859, entitled "An act to increase the number of coroners in Queens county.'"

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to the Hudson River State Hospital for the Insane at Poughkeepsie, the State Homœopathic Asylum for the Insane at Middletown, the Buffalo State Asylum for the Insane, and the State Reformatory at Elmira," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act in relation to the county treasurers of the counties of Monroe, Seneca, Ontario, Yates, Westchester, Rockland, Putnam, Dutchess, Columbia," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

The Senate returned the bill entitled "An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue in said city, and to contract with Isaac Holloway for such work," with a message informing of concurrence in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert the following:

"SECTION 1. The common council of the city of Buffalo is hereby authorized and empowered to grade and pave Forest avenue from the easterly paved line of Niagara street to the westerly line of Delaware street in said city, in accordance with the plans and specifications deposited in the office of the engineer of said city in the proceedings to grade and pave the same in the year 1874, and to assess the expense of such improvement upon the parcels of land to be benefited thereby; such assessment to be made in the manner provided by law for the making of local assessments for improvements of like character in said city. No preliminary proceedings need be taken before the ordering of such grading and paving by said common council, and the same may be

ordered as one work and upon a vote of two-thirds of the members elected to said common council.

"§ 2. Upon the assessment for such improvement being confirmed, the city of Buffalo may enter into a contract in writing for such grading and paving with Isaac Holloway, in accordance with the said plans and specifications, and at his bid for doing said work, and all work heretofore done by him for the grading and paving of said Forest avenue, shall be taken and deemed to have been done under such contract.

"§ 3. The common council may on its discretion, by a like vote, order such grading and paving only from the said easterly line of Niagara street to Lincoln parkway. In such case equitable compensation shall be made to said Holloway for the work already done between Lincoln parkway and Delaware street, and in like manner assessed upon the property benefited thereby.

"§ 4. This act shall take effect immediately."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	W. A. Johnson	Russell
Badger	Cooke	Keenan	Sanford
Barkley	Costigan	Kirk	Schuyler
Beach	Daggett	Kshinka	Scudder
Benediot	Daly	Law	Seward
Bennett	Decker	Lawrence	Sherman
Berry	Ely	Lillybridge	Sherwood
Bishop	Farrar	Lincoln	Silverman
Bordwell	Fay	McAfee	Smith
Braman	Friend	McGowan	Struble
Brogan	Gallagher	McGroarty	Talmage
Burtis	Gedney	J. W. Miller	G. Taylor
Calkins	Green	Oakley	W. F. Taylor
T. C. Campbell	Griffin	Peck	Tewksbury
T. J. Campbell	Hammond	Petty	Vedder
Christopher	Hanrahan	Pierson	Vosburgh
Clark	Hauschel	Prince	Waehner
Cleary	Hinckley	Ransom	Wenzel
Coffey	Hogan	Rich	Whitmore
Cole			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 1, line 3, engrossed bill, strike out the word "elected" and insert the words "chosen in the manner hereinafter provided."

Section 2, line 3, strike out all after the word "boards" down to and including the word "towns" in line 5.

Section 3, line 9, strike out the words "declared elected," and insert the following: "appointed by the presiding officers of such town meeting, or in case the election is held in election districts, by the supervisors and justices of the peace of such town or a majority of them."

Section 4, line 1, after the word "elected," insert the words "or appointed." Line 2, strike out "s" from "auditors." Line 4, after the word "elected," first occurring, insert the words "or appointed." Same line, after the word "elected," second occurring, insert the words "or appointed."

Line 6, same section, after the word "elected" insert the words "or appointed."

Strike out all of section 6.

Change numbers of sections to correspond.

Amend the title so as to read, "An act creating a board of town auditors in the several towns of this State, and to prescribe their powers and duties."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Costigan	W. A. Johnson	Prince
Barkley	Daggett	Keenan	Ransom
Beach	Daly	Kennaday	Reilly
Beardsley	Davis	Kirk	Roscoe
Benedict	Decker	Krack	Russell
Bennett	Ely	Kshinka	Schuyler
Berry	Farrar	Law	Seward
Bishop	Fay	Lawrence	Sherman
Bordwell	Fish	Lillybridge	Sherwood
Braman	Fream	Lincoln	Smith
Brogan	Friend	McAfee	Stauf
Brown	Gallagher	McGowan	Struble
Burtis	Gedney	McGroarty	Talmage
T. C. Campbell	Griffin	Merwin	G. Taylor
T. J. Campbell	Hanrahan	J. W. Miller	Tewksbury
Christopher	Hauschel	Oakley	Vedder
Cleary	Hess	Peck	Vosburgh
Cole	Hinckley	Petty	Waehner
Comstock	Hogan	Pope	Whitmore
Cooke	Holmes		

Those who voted in the negative, were

Badger	Green	Pierson	Sanford
Clark	Hammond	Rich	

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act relating to stock of the Delhi and Middletown Railroad Company owned by the town of Andes, Delaware county," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 1, line 22, strike out the word "any" and insert the word "all." Change the word "money" to "moneys." Same section, strike out all of line 24 and insert the following: "Upon his executing to the people of the State of New York a bond in the penal sum of twice the amount of the moneys so to be paid to him, with sureties to be approved by the board of town auditors of said town, conditioned for the payment of said moneys for such town purposes as the annual town meeting next after the receipt of said moneys shall direct, which bond shall be filed in the office of the town clerk of said town."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cole	Houghton	Prince
Barkley	Comstock	W. Johnson	Ransom
Beach	Cooke	W. A. Johnson	Roscoe
Bearlsley	Costigan	Kennaday	Russell
Benedict	Daggett	Kirk	Sanford
Bennett	Decker	Krack	Schuyler
Berry	Ely	Kshinka	Seward
Bishop	Farrar	Law	Shattuck
Bordwell	Fish	Lawson	Sherman
Braman	Fream	Lewis	Sherwood
Broas	Friend	Lincoln	Shiel
Brogan	Gallagher	McAfee	Silverman
Brown	Gedney	McGowan	Smith
Burtis	Griffin	McGroarty	Stauf
T. C. Campbell	Hammond	Merwin	Struble
T. J. Campbell	Hanrahan	Page	Tewksbury
Christopher	Hauschel	Peck	Vedder
Clark	Hess	Petty	Vosburgh
Cleary	Hinckley	Pierson	Whitmore
Coffey	Holmes	Pope	Willis

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to authorize the establishment of a female department in the Western House of Refuge for Juvenile Delinquents," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 4, line 1, engrossed bill, strike out the word "six" and insert the word "three." Line 2, after the words "cities of," insert the words "New York."

Insert as section 6 the following:

"§ 6. Instead of letting the construction of said building by contract,

as before provided, said managers may, with the approval of the Governor and Comptroller, construct such building under the supervision of a superintendent appointed for that purpose, and any expenditure made by them for that purpose shall be audited by the Comptroller and paid by the Treasurer out of the moneys hereby appropriated for the construction of such building."

Section 9, line 8, strike out the word "eighth" and insert the word "ninth."

Change section 6 to section 7, and so following.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. Johnson	Roscoe
Badger	Decker	Kennaday	Russell
Barkley	Ely	Krack	Sanford
Beardsley	Farrar	Kshinka	Schuyler
Benedict	Faulkner	Lawson	Soudder
Bennett	Fay	Lewis	Seward
Berry	Fish	Lincoln	Sherman
Bishop	Fream	McAfee	Sherwood
Bordwell	Friend	McGowan	Shiel
Braman	Gallagher	McGroarty	Silverman
Broas	Green	Merwin	Smith
Brown	Griffin	J. W. Miller	Stauf
Burtis	Hammond	Oakley	Struble
T. C. Campbell	Hanrahan	Page	Talmage
T. J. Campbell	Hauschel	Peck	G. Taylor
Christopher	Hepburn	Petty	W. F. Taylor
Clark	Hess	Pierson	Tewksbury
Cleary	Hinckley	Pope	Vedder
Cole	Holmes	Prince	Vosburgh
Comstock	Houghton	Ransom	Whitmore
Cooke	Husted	Rich	Willis

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to reorganize the village of Canajoharie."

"An act further to amend chapter 885 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' and the several acts amendatory thereof."

"An act to extend the time for the exercise and discharge of the official duties, and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City."

"An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on

the non-resident lands therein, for the constructing of a road from Blood's hotel to Tupper's lake, in Franklin county."

"An act to authorize the religious society in the city of New York, known as the Temple Bethel, to buy and hold land for cemetery purposes."

"An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans."

"An act in regard to sewerage and other improvements in Long Island City."

"An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,'"

"An act to provide for a public park in the city of Lockport."

"An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized to Angeline Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs-at-law of said Robert A. Lamont, deceased."

"An act relating to the construction of sidewalks upon Ellicott avenue in the village of Batavia."

"An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua."

"An act to amend chapter 583 of the Laws of 1874, entitled 'An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney island, in the county of Kings.'"

"An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot."

"An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid taxes in the town of Flushing, Queens county,' and supplementary thereto."

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' so as to exempt Chautauqua lake from certain provisions of said act."

"An act to legalize the official acts of John E. Ashe as notary public."

"An act to legalize and confirm the official acts of Milton J. Baker as coroner of the county of Delaware."

"An act to prevent the taking of fish in or from the waters of Tonawanda creek so-called, and its branches, in the counties of Wyoming and Genesee."

"An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State.'"

"An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water.'"

"An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and the acts amendatory thereof."

"An act to further amend chapter 448 of the Laws of 1863, entitled

'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York.'"

"An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities."

"An act to enable the city of Brooklyn to build piers for the accommodation of steamboat travel and other commercial purposes."

"An act to amend chapter 290 of the Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870."

"An act authorizing the taxation of stockholders of life, fire and marine insurance companies."

"An act to amend chapter 585 of the Laws of 1874, entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway for the purposes of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874."

"An act to regulate the use of slips, wharves and piers in the city of New York."

"An act in relation to Riverside avenue and park in the city of New York."

"An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga."

"An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying-ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof."

"An act for the preservation of fish in Salmon river, in Oswego county."

"An act to repeal chapter 20 of article 1, title 19 of part 1 of the Revised Statutes, concerning brokers."

"An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims."

"An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house."

"An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving and embellishing the public park in said city and the approaches thereto, and providing for the payment of such bonds and the expenditure of such money."

"An act to authorize the court of oyer and terminer and court of sessions of the county of Kings, to sentence prisoners convicted in said courts of any offense to the penitentiary of said county, for any term for which they might be sentenced to a State prison."

"An act to provide for an assessment for regulating, grading and sewerage parts of the Tenth avenue and Ninety-third street in the city of New York."

"An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town."

"An act to amend chapter 395 of the Laws of 1873, entitled 'An act to alter the system of repairing the highways.'"

"An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof."

"An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego."

"An act to authorize the taking of certain lands in the city of Buffalo for the purpose of the continuation of Fillmore avenue, from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same."

"An act permitting fishing with gill nets for suckers, in Schuyler's lake."

"An act to amend section 10 of chapter 830 of the Laws of 1873, entitled 'An act to legalize the adoption of minor children by adult persons.'"

"An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village."

"An act to amend chapter 809 of the Laws of 1872, entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush, in said county.'"

"An act in relation to the improvement of the Croton aqueduct in the city of New York."

"An act to authorize the city of Troy to refund a portion of its bonded debt."

"An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony."

"An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same."

"An act to amend chapter 661 of the Laws of 1873, entitled 'An act to provide for the support and care of State paupers.'"

"An act to amend an act entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chenango Canal extension which lies south of the Susquehanna river,' passed June 26, 1873."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act in relation to the court of special sessions of the peace in and for the city and county of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Leave of absence was granted to Mr. Krack until Tuesday morning.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

The bill entitled "An act to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof," being announced for a third reading,

On motion of Mr. Alvord, said bill was recommitted to the committee on affairs of cities with instructions to make the following amendment, and to report at any time, said bill retaining its place on the calendar of third reading of bills:

"AN ACT to confirm and levy certain assessments for street improvements in the city of Albany, and to regulate the collection thereof."

The People of the State of New York, represented in Senate and Assembly, do enact as follows :

"SECTION 1. The cost and expenses of paving, flagging, curbing, excavating, filling and forming the streets and avenues in the city of Albany hereinafter mentioned, which cost and expenses have been fixed and determined upon by or under the direction of the common council of said city, in the following cases: Clinton avenue, from the east line of Dove street to the center of Robin street, the assessment and apportionment for which was confirmed by said common council December 20, 1869; Clinton avenue, from the center of Robin street to the center of Ontario street, the assessment and apportionment for which was confirmed by said common council September 19, 1870; Clinton avenue, from the center of Ontario street to the intersection of Clinton and Central avenues, the assessment and apportionment for which was confirmed by said common council November 14, 1870; Madison avenue, from west line of Knox street to a line fifty feet west of Snipe street, the assessment and apportionment for which was confirmed by said common council May 3, 1872; Madison avenue, from a line fifty feet west of Snipe street to six hundred and sixty feet west of Robin street, the assessment and apportionment for which was confirmed by said common council January 5, 1874, are hereby made a lien and assessment on the lands and premises included in the several respective districts of assessment adjacent to each of such improvements, as heretofore fixed and determined upon by the common council of said city, and are now of public record in said city, and the amount of each of said several assessments, together with the interest, as stated in section 2 of this act, is levied upon the several pieces of land and premises within said respective districts, and in the same proportion in which the same have already been assessed and apportioned thereon by said common council, levied as a tax to be collected and applied by said city as provided by law.

"§ 2. The chamberlain of the city of Albany is hereby authorized and directed to collect any and all assessments mentioned in the first section of this act, pursuant to chapter 27 of the Laws of 1870, and the acts amendatory thereof, so far as the same are applicable to the collection of unpaid assessments, duly confirmed by the common council of said city. The chamberlain shall charge and collect interest on all apportionments and assessments aforesaid, from the fifteenth day after the same were confirmed by the common council till the same are paid and satisfied; unless the said common council has heretofore consented to relinquish the payment of interest, and in such cases no interest shall be charged during the time for which the same was relinquished.

"§ 3. In cases where since the time the assessments mentioned in the first section of this act, or either of them, were made and confirmed by the common council of said city, and parts or parcels of the lots originally assessed have been sold subject to such assessment by the owners thereof, it shall be lawful for the chamberlain of the city of Albany to receive from the present owner or owners of such parts or parcels, their proportionate share of the original assessment of the great lot, and to release and discharge such parcels from the said assessments, and the balance of such original assessment shall remain a lien upon the residue

of such great lot. In case of default in the payment of the balance due on such residue, the chamberlain shall in advertising the same for sale, as heretofore provided, describe such original lot and then state what portions thereof have been released and discharged, and the amount of the assessment remaining upon the residue. The purchaser on such sale shall receive a certificate showing what part of the great lot has been bid in by him, and such sale shall, as to such part, be in all respects valid, subject to the provisions of the acts aforesaid.

"§ 4. This act shall take effect immediately."

The bill entitled "An act to amend an act entitled 'An act to regulate processions and parades in the cities of the State of New York,' chapter 590, Laws of 1872, passed May 7, 1872," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 28 }
{ NOES 60 }

Those who voted in the affirmative, were

Bennett	Costigan	Hinckley	Rich
Brogan	Daly	Keenan	Shiel
T. C. Campbell	Dessar	Kirk	Silverman
T. J. Campbell	Gallagher	McGowan	Smith
Cleary	Griffin	McGroarty	Stauf
Coffey	Hanrahan	Ransom	G. Taylor
Cole	Hauschel	Reilly	Waehner

Those who voted in the negative, were

Alvord	Farrar	Krack	Roscoe
Barkley	Faulkner	Kshinka	Russell
Benedict	Fay	Lawson	Sanford
Berry	Fish	Lewis	Souder
Bishop	Fream	Lillybridge	Seward
Bordwell	Friend	Lincoln	Shattuck
Broas	Gedney	Mackin	Sherwood
Burtis	Green	McAfee	Struble
Calkins	Hepburn	J. W. Miller	W. F. Taylor
Clark	Hess	W. Miller	Tewksbury
Comstock	Holmes	Page	Vedder
Cooke	Houghton	Peck	Vosburgh
Daggett	Hussey	Petty	Whitmore
Davis	Husted	Pope	Willis
Decker	W. A. Johnson	Prince	Yost

Mr. T. J. Campbell moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion to reconsider, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 39 }
{ NOES 52 }

Those who voted in the affirmative, were

Beardsley	Costigan	Keenan	Schenck
Bennett	Daly	Kennaday	Sherman
Broas	Dessar	Kirk	Shiel
Brogan	Ely	McGowan	Silverman
T. C. Campbell	Fish	McGroarty	Smith
T. J. Campbell	Gallagher	Oakley	Stauf
Oleary	Hammond	Pierson	Stephens
Coffey	Hanrahan	Ransom	G. Taylor
Cole	Hauschel	Reilly	Waehner
Cooke	Hess	Rich	

Those who voted in the negative, were

Alvord	Farrar	Kshinka	Sanford
Badger	Faulkner	Law	Seward
Barkley	Fay	Lawson	Sherwood
Benedict	Friend	Lillybridge	Stacy
Berry	Gedney	Lincoln	Struble
Bishop	Green	McAfee	W. F. Taylor
Bordwell	Griffin	Merwin	Tewksbury
Burtis	Hepburn	W. Miller	Tremain
Calkins	Hinckley	Peck	Vedder
Clark	Houghton	Pope	Vosburgh
Comstock	Hussey	Prince	Whitmore
Daggett	Husted	Roscoe	Willis
Decker	W. A. Johnson	Russell	Yost

Mr. Daly, from the committee on affairs of cities, reported back the bill entitled "An act to confirm and levy assessments for street improvements in the city of Albany, and to regulate the collection thereof," as instructed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daggett	Hussey	Rich
Badger	Daly	Husted	Roscoe
Barkley	Decker	W. Johnson	Sanford
Beardsley	Farrar	W. A. Johnson	Schenck
Benedict	Faulkner	Keenan	Schuyler
Berry	Fay	Kennaday	Soudder
Bishop	Fish	Kirk	Seward
Bordwell	Fream	Lewis	Shattuck
Braman	Friend	Lillybridge	Sherman
Broas	Gallagher	Lincoln	Sherwood

Brogan	Gedney	McAfee	Shiel.
Brown	Green	McGowan	Smith
Burtis	Griffin	McGroarty	Stauf
Calkins	Hammond	Merwin	Stephens
T. C. Campbell	Hanrahan	J. W. Miller	G. Taylor
T. J. Campbell	Hauschel	W. Miller	Tremain
Christopher	Hepburn	Page	Vosburgh
Clark	Hess	Peck	Waehner
Coffey	Hinckley	Pope	Whitmore
Cole	Hogan	Prince	Willis
Cooke	Holmes	Ransom	Yost
Costigan	Houghton	Reilly	

For the negative,

Kshinka

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, requesting the return to that body of Senate bill No. 220, entitled "An act in relation to the court of special sessions of the peace in and for the city and county of New York."

Mr. Waehner rose and stated that the bill was in the hands of the committee on affairs of cities, where it was referred.

On motion of Mr. Alvord, the committee on affairs of cities was discharged from the further consideration of said bill, and the request of the Senate granted.

The bill entitled "An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 7 }

Those who voted in the affirmative, were

Badger	Davis	Houghton	Pope
Beach	Dessar	W. A. Johnson	Rich
Benedict	Ely	Kennaday	Roscoe
Berry	Farrar	Kirk	Russell
Bishop	Faulkner	Kshinka	Sanford
Bordwell	Fay	Lewis	Schenck
Braman	Fish	Lillybridge	Schuyler
Broas	Fream	Lincoln	Scudder
Brown	Friend	Mackin	Seward
Burtis	Gallagher	McAfee	Shattuck
T. C. Campbell	Gedney	McGowan	Sherman
T. J. Campbell	Green	McGroarty	Sherwood
Christopher	Hammond	Merwin	Shiel

Clark	Hanrahan	J. W. Miller	Stacy
Cleary	Hauschel	O'Keefe	Struble
Cole	Hepburn	Page	Talmage
Cooke	Hinckley	Peck	G. Taylor
Costigan	Hogan	Petty	W. F. Taylor
Daggett	Holmes	Pierson	Whitmore
Daly			

Those who voted in the negative, were

Alvord	Decker	Husted	Willis
Beardsley	Hussey	Ransom	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act creating the office of inspector of public works," being announced for a third reading,

Mr. Alvord moved to recommit said bill to the committee on the judiciary with instructions to amend as follows: Add at the end of section 2 the words "but in all cases when oral testimony is taken all such examinations shall be in public, and witnesses shall have the right to be present with and consult with counsel."

Debate was had thereon, when

Mr. Schuyler moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the negative.

Said bill was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 11 }

Those who voted in the affirmative, were

Badger	Daly	Kennaday	Reilly
Beach	Davis	Kirk	Roscoe
Beardsley	Dessar	Kshinka	Russell
Benediot	Farrar	Law	Schuyler
Bennett	Faulkner	Lawson	Scudder
Berry	Fay	Lewis	Seward
Bishop	Fish	Lincoln	Shattuck
Bordwell	Fream	Mackin	Sherman
Broas	Green	McAfee	Sherwood
Brogan	Griffin	McGowan	Shiel
Brown	Hammond	McGroarty	Silverman
Calkins	Hanrahan	Merwin	Smith
T. C. Campbell	Hauschel	W. Miller	Stauf
T. J. Campbell	Hess	Oakley	G. Taylor
Christopher	Hogan	O'Keefe	W. F. Taylor
Clark	Holmes	Peck	Vedder
Cleary	Hussey	Petty	Vosburgh

Coffey
Cooke
Costigan

Husted
W. A. Johnson
Keenan

Pierson
Pope
Prince

West
Whitmore
Willis

Those who voted in the negative, were

Alvord
Gallagher
Gedney

Page
Ransom
Schenck

Stacy
Tewksbury
Tremain

Waehner
Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bill entitled "An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester," with a message informing of concurrence in the passage of the same, with the following amendments:

Section 4, line 2, strike out the word "the" and insert the word "such." Line 3, after the word "prison" insert the words "not employed on contract."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Barkley
Beach
Beardsley
Benedict
Berry
Bishop
Bordwell
Broas
Brown
Burtis
Calkins
T. C. Campbell
T. J. Campbell
Christopher
Clark
Cleary
Coffey
Cole
Cooke

Costigan
Daly
Ely
Farrar
Faulkner
Fish
Fream
Gallagher
Gedney
Green
Griffin
Hammond
Hanrahan
Hauschel
Hepburn
Hess
Hinckley
Hogan
Holmes
Husted

W. A. Johnson
Kennaday
Kshinka
Lawson
Lillybridge
Lincoln
Mackin
McAfee
McGroarty
Oakley
O'Keefe
Page
Peck
Petty
Ransom
Reilly
Russell
Schenck
Schuyler
Scudder

Seward
Shattuck
Sherman
Sherwood
Shiel
Silverman
Slingerland
Smith
Stauf
G. Taylor
W. F. Taylor
Tewksbury
Tremain
Vosburgh
Waehner
West
Whitmore
Willis
Yost

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Sherwood, Int. No. 955, entitled "An act to authorize the Land Commissioners to deed to the city of Binghamton a portion of the Chenango canal for street purposes, also to empower said

city to recover possession of the land deeded," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Holmes, Int. No. 505, entitled "An act for the regulation of the opening and closing of the swing bridges on the several canals of this State," reported adversely thereto, which report was agreed to.

Mr. Page, from the committee on canals, to which was referred the bill introduced by Mr. Sherwood, Int. No. 905, entitled "An act to authorize the filling of the Chenango canal extension at the crossing of Robinson and Eldridge streets, in the city of Binghamton," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Page, from the committee on canals, introduced a bill entitled "An act to authorize a tax of three-fifths of a mill per dollar of valuation of the year 1875, for the construction of new work upon and extraordinary repairs of the canals of this State," which was read the first time, and by unanimous consent was also read the second time, and committed to the committee of the whole.

The bill entitled "An act to amend an act entitled 'An act to incorporate the village of New Brighton,' passed April 20, 1866, and amended April 22, 1867, April 27, 1871, March 27, 1872, and May 14, 1873," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 75 }
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Cooke	Hussey	Roscoe
Badger	Costigan	Husted	Russell
Barkley	Daggett	W. A. Johnson	Sanford
Beach	Farrar	Kennaday	Schenck
Beardsley	Faulkner	Kshinka	Scudder
Benedict	Fay	Law	Seward
Berry	Fream	Lawson	Shattuck
Bishop	Gallagher	Lillybridge	Sherwood
Bordwell	Gedney	Lincoln	Shiel
Braman	Green	Mackin	Silverman
Broas	Griffin	McAfee	Slingerland
Brown	Hammond	McGroarty	Stauf
Burtis	Hanrahan	Merwin	G. Taylor
Calkins	Hauschel	W. Miller	Tewksbury
T. C. Campbell	Hepburn	Oakley	Vedder
T. J. Campbell	Hess	Peck	Vosburgh
Christopher	Hinekley	Petty	Washner
Clark	Hogan	Prince	Whitmore
Cole	Holmes	Rich	

Those who voted in the negative, were

Cleary	Keenan	Reilly	Willis
Coffey	Ransom	Smith	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to reorganize the village of Canajoharie," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kennaday	Sanford
Badger	Daly	Kshinka	Schenok
Barkley	Farrar	Lawson	Schuyler
Beach	Faulkner	Lincoln	Scudder
Beardsley	Fream	McGowan	Seward
Benedict	Gallagher	McGroarty	Sherman
Berry	Gedney	Merwin	Sherwood
Bishop	Green	J. W. Miller	Shiel
Bowen	Griffin	W. Miller	Silverman
Broas	Hammond	Oakley	Smith
Brown	Hanrahan	Page	Stauf
Burtis	Hauschel	Petty	G. Taylor
T. C. Campbell	Hepburn	Pierson	W. F. Taylor
T. J. Campbell	Hess	Pope	Tewksbury
Christopher	Hinckley	Prince	Tremain
Clark	Hogan	Ransom	Vosburgh
Cleary	Holmes	Reilly	Waehner
Cole	Hussey	Rich	Wenzel
Cooke	Husted	Roscoe	Whitmore
Costigan	W. A. Johnson	Russell	Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of an award due from the city of Brooklyn to the Brooklyn park commissioners, for lands taken from Prospect park for reservoir purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kshinka	Roscoe
Badger	Daly	Lawrence	Sanford
Barkley	Farrar	Lawson	Schenck
Beach	Faulkner	Lincoln	Scudder
Beardsley	Friend	Mackin	Seward
Benedict	Gallagher	McAfee	Sherman

Berry	Gedney	McGowan	Shiel
Bordwell	Green	McGroarty	Silverman
Braman	Hammond	Merwin	Slingerland
Broas	Hanrahan	J. W. Miller	Smith
Brown	Hauschel	Oakley	Stauf
Calkins	Hepburn	O'Keefe	G. Taylor
T. C. Campbell	Hinckley	Peck	W. F. Taylor
T. J. Campbell	Hogan	Petty	Tewksbury
Christopher	Holmes	Pierson	Vosburgh
Clark	Hussey	Prince	Waehner
Cleary	Husted	Ransom	Wellington
Coffey	W. A. Johnson	Reilly	Whitmore
Cole	Keenan	Rich	Willis
Cooke	Kennaday		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the railroad commissioners of the town of Afton, county of Chenango, to pay certain moneys to the supervisor of said town," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cole	Holmes	Pope
Badger	Cooke	Hussey	Ransom
Barkley	Costigan	Husted	Rich
Beach	Daly	W. A. Johnson	Sanford
Beardsley	Davis	Kennaday	Schenck
Benedict	Farrar	Kshinka	Scudder
Bennett	Faulkner	Lawson	Seward
Berry	Fish	Lewis	Shattuck
Bordwell	Fream	Lincoln	Sherwood
Braman	Friend	McAfee	Shiel
Broas	Gallagher	McGowan	Silverman
Brogan	Gedney	McGroarty	Slingerland
Brown	Green	Merwin	Smith
Burtis	Griffin	J. W. Miller	G. Taylor
Calkins	Hammond	Oakley	Tewksbury
T. C. Campbell	Hanrahan	O'Keefe	Vedder
T. J. Campbell	Hauschel	Page	Vosburgh
Christopher	Hepburn	Peck	Waehner
Clark	Hess	Petty	Whitmore
Cleary	Hinckley	Pierson	Willis
Coffey	Hogan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize overseers of highways in the several road districts of this State to cause the removal of fences along

public highways for the purpose of preventing the drifting of snow into such highways," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daggett	Lawson	Sanford
Badger	Davis	Lewis	Schenck
Barkley	Farrar	Lincoln	Schuyler
Beach	Faulkner	Mackin	Scudder
Beardsley	Friend	McAfee	Seward
Benedict	Gedney	McGowan	Shattuck
Berry	Green	McGroarty	Sherwood
Bishop	Griffin	Oakley	Shiel
Bordwell	Hammond	O'Keefe	Silverman
Braman	Hanrahan	Page	Slingerland
Broas	Hauschel	Peck	Smith
Burtis	Hepburn	Petty	Stauf
Calkins	Hess	Pierson	G. Taylor
T. C. Campbell	Hinokley	Pope	W. F. Taylor
T. J. Campbell	Holmes	Prince	Tewksbury
Christopher	Houghton	Reilly	Vedder
Clark	Husted	Rich	Vosburgh
Cole	Keenan	Roscoe	Waehner
Cooke	Kennaday	Russell	Whitmore
Costigan	Kshinka		

For the negative,

Hogan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act further to amend chapter 385 of the Laws of 1862, entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady,' and the several acts amendatory thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. A. Johnson	Rich
Badger	Farrar	Keenan	Roscoe
Barkley	Faulkner	Kennaday	Russell

Beach	Fay	Kshinka	Sanford
Benedict	Fream	Lawson	Schenck
Berry	Friend	Lewis	Schuyler
Bishop	Gallagher	Lillybridge	Scudder
Bordwell	Gedney	Lincoln	Seward
Braman	Green	Mackin	Sherman
Broas	Griffin	McGowan	Sherwood
Brown	Hammond	McGroarty	Shiel
Burtis	Hanrahan	Merwin	Silverman
Calkins	Hauschel	J. W. Miller	Slingerland
T. C. Campbell	Hepburn	Oakley	Smith
T. J. Campbell	Hess	O'Keefe	G. Taylor
Christopher	Hinckley	Peck	Tewksbury
Clark	Hogan	Petty	Vedder
Cole	Holmes	Pierson	Vosburgh
Cooke	Hussey	Prince	Waehner
Costigan	Husted	Reilly	Willis
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to incorporate the Twelfth Ward Savings Bank in the city of New York," as amended, was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Keenan	Schenck
Badger	Farrar	Kennaday	Schuyler
Barkley	Faulkner	Kshinka	Scudder
Beach	Fay	Lawson	Seward
Beardsley	Fream	Lewis	Shattuck
Benedict	Friend	Lincoln	Sherman
Bennett	Gallagher	McGowan	Sherwood
Berry	Gedney	McGroarty	Shiel
Bishop	Green	Merwin	Silverman
Braman	Griffin	J. W. Miller	Slingerland
Broas	Hammond	Oakley	Smith
Brown	Hanrahan	O'Keefe	Stauf
Calkins	Hauschel	Peck	Struble
T. C. Campbell	Hepburn	Petty	G. Taylor
T. J. Campbell	Hess	Ransom	W. F. Taylor
Clark	Hogan	Reilly	Tewksbury
Cleary	Holmes	Rich	Waehner
Coffey	Houghton	Roscoe	Whitmore
Cooke	Husted	Russell	Willis
Costigan	W. A. Johnson	Sanford	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The Senate bill entitled "An act to amend an act entitled 'An act to amend, revise and consolidate the laws in relation to the village of Seneca Falls,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Sanford
Badger	Daggett	Kirk	Schenck
Barkley	Daly	Kshinka	Schuyler
Beach	Farrar	Lawson	Scudder
Beardsley	Faulkner	Lewis	Seward
Benedict	Fay	Lincoln	Shattuck
Bennett	Fream	McAfee	Sherwood
Berry	Friend	McGowan	Shiel
Bordwell	Gallagher	McGroarty	Slingerland
Braman	Gedney	Merwin	Smith
Broas	Griffin	J. W. Miller	Stauf
Brown	Hanrahan	Oakley	G. Taylor
Burtis	Hauschel	O'Keefe	W. F. Taylor
Calkins	Hess	Peck	Tewksbury
T. C. Campbell	Hogan	Petty	Vedder
T. J. Campbell	Holmes	Pierson	Vosburgh
Christopher	Houghton	Prince	Waehner
Clark	Hussey	Reilly	Whitmore
Cole	Husted	Rich	Willis
Cooke	W. A. Johnson	Russell	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to extend the time for the exercise and discharge of the official duties and for the completion of the work of the commissioners of streets, roads, avenues and parks in Long Island City," being announced for a third reading,

On motion of Mr. Oakley, and by unanimous consent, said bill was amended as follows: Insert after the word "four," in section 1, the words "and as further enlarged under an act to provide for improvements in and adjoining the first ward of Long Island City."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	W. A. Johnson	Roscoe
Badger	Costigan	Keenan	Sanford

Beach	Daly	Kirk	Schuyler
Beardsley	Farrar	Kshinka	Scudder
Benedict	Faulkner	Lawson	Seward
Bennett	Fay	Lincoln	Shattuck
Berry	Fream	McAfee	Sherwood
Bishop	Friend	McGowan	Shiel
Bordwell	Gallagher	McGroarty	Smith
Braman	Gedney	Merwin	Stauf
Brogan	Green	J. W. Milier	Struble
Brown	Griffin	Oakley	G. Taylor
Burtis	Hanrahan	O'Keefe	W. F. Taylor
Calkins	Hepburn	Peck	Tewksbury
T. C. Campbell	Hess	Petty	Vedder
T. J. Campbell	Hogan	Pierson	Vosburgh
Christopher	Holmes	Prince	Waehner
Clark	Hussey	Ransom	Wenzel
Coffey	Husted	Rich	Willis
Cole			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to empower the judges of the superior court of Buffalo to employ a stenographer,' passed March 11, 1874," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	W. A. Johnson	Schenck
Badger	Farrar	Keenan	Schuyler
Beach	Faulkner	Kirk	Scudder
Benedict	Fream	Kshinka	Seward
Berry	Friend	Lawson	Shattuck
Bishop	Gallagher	Lewis	Sherwood
Bordwell	Gedney	Lincoln	Shiel
Braman	Green	McGowan	Smith
Broas	Griffin	McGroarty	Stauf
Brown	Hanrahan	J. W. Miller	Struble
Burtis	Hauschel	Oakley	G. Taylor
Calkins	Hepburn	O'Keefe	W. F. Taylor
T. C. Campbell	Hess	Petty	Tewksbury
T. J. Campbell	Hinckley	Pierson	Tremain
Christopher	Hogan	Prince	Vedder
Clark	Holmes	Ransom	Vosburgh
Coffey	Houghton	Reilly	Waehner
Cole	Hussey	Rich	Whitmore
Cooke	Husted	Russell	Willis
Costigan			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

By unanimous consent, on motion of Mr. Waehner, the present order of business was laid on the table, for the purpose of making a motion and receiving reports of committees.

Mr. Waehner moved that when this House adjourns to-day, it adjourn to meet on Monday evening at 7½ o'clock.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to a resolution of the Senate and Assembly, the Governor returned the bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," for amendment.

Mr. Shiel moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Schieffelin
Badger	Davis	Kirk	Schuyler
Beach	Farrar	Kshinka	Scudder
Beardsley	Faulkner	Lawson	Seward
Benedict	Fish	Lincoln	Sherman
Bennett	Fream	McAfee	Sherwood
Berry	Friend	McGowan	Shiel
Bordwell	Gallagher	McGroarty	Silverman
Braman	Gedney	Merwin	Smith
Brogan	Green	J. W. Miller	Stauf
Brown	Griffin	Oakley	Struble
Burtis	Hanrahan	Page	G. Taylor
Calkins	Hauschel	Petty	W. F. Taylor
T. C. Campbell	Hepburn	Pope	Tewksbury
T. J. Campbell	Hogan	Ransom	Vedder
Christopher	Holmes	Rich	Waehner
Clark	Houghton	Roscoe	Wenzel
Coffey	Husted	Sanford	Willis
Cole	W. A. Johnson	Schenck	Wurts
Cooke			

By unanimous consent, on motion of Mr. Shiel, said bill was amended by striking out in section 6, second page of the section, line 12, of the engrossed bill, the word "alter;" also by striking out in section 22, second page of the section, lines 9, 10, 11 and 12, the words "shall, in making their appraisement, take into account the cost and prospective value of the works, rights, privileges and properties, but not beyond actual cost, and they."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Keenan	Schnuyler
Badger	Daly	Kennaday	Scudder
Barkley	Davis	Kirk	Seward
Beach	Farrar	Kshinka	Shattuck
Beardsley	Faulkner	Lawson	Sherman
Benedict	Fish	Lincoln	Sherwood
Berry	Fream	McAfee	Shiel
Bordwell	Friend	McGowan	Silverman
Braman	Gallagher	McGroarty	Smith
Broas	Gedney	J. W. Miller	Stauf
Brown	Green	Oakley	Struble
Burtis	Griffin	O'Keefe	G. Taylor
Calkins	Hanrahan	Peck	W. F. Taylor
T. C. Campbell	Hepburn	Pope	Tewksbury
T. J. Campbell	Hinckley	Prince	Vedder
Christopher	Hogan	Ransom	Vosburgh
Clark	Houghton	Rich	Waehner
Coffey	Hussey	Roscoe	Whitmore
Cole	Husted	Sanford	Willis
Cooke	W. A. Johnson	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

A message from the Senate was received and read, requesting the return of Senate bill No. 159, entitled "An act relative to the State prisons and penitentiaries of this State."

On motion of Mr. Alvord, said request was granted.

Mr. Speaker presented the following:

"The Governor and Mrs. Pelton request the honor of the company of the members of Assembly and their families at the Executive residence, on Wednesday evening, April 21, 1875, from 8 to 12 o'clock."

Mr. McGroarty called from the table the report of the sub-committee of the whole, in favor of the passage of the bills entitled as follows:

"An act to extend the time for the completion of the act to authorize the construction of a railroad from, at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer." With the following amendments:

Section 1, line 5, strike out the word "one" and insert the word "three," and add "s" to the word "year," so that it will read "three years."

"An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings.'" With the following amendment:

Add as section 3 the following: "§ 3. This act shall effect immediately."

"An act to amend chapter 569 of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seamen's Retreat on Staten Island.'" With the following amendments:

Amend section 1 by inserting after "section 1," in line 1, the words "of chapter 569 of the Laws of 1870, entitled 'An act to authorize the

sale of the lands belonging to and occupied by the Seamen's Retreat on Staten Island.'"

Same section, line 3, strike out the word "Lequine" and insert the word "Sequine." In line 9, same section, strike out the word "him" and insert the word "them."

Section 2, line 6, strike out the word "certified" and insert the word "verified."

Insert after the word "Comptroller," in line 10 of section 7, the following: "shall henceforth be the trustees of the same."

Change the word "institutions," in line 13 of said section, to "institution."

Add a new section as section 10, as follows: "§ 10. All acts and parts of acts inconsistent herewith are hereby repealed."

Change section 10 to section 11.

Senate, "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter.'"

"An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," with the following amendments:

Strike out all after the word "thereon," in line 5 of section 3, and insert the words "shall be paid into the treasury of the said county of Ulster for the support of the poor of said county."

"An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 768 of the Laws of 1870, in reference to acquiring title to real estate for burial purposes.'"

"An act in relation to habitual drunkards, vagrants and prostitutes in the county of Erie," with the following amendments:

Section 1, line 2, strike out the words "county of Erie," and insert the words "city of Buffalo."

Same section, line 4, strike out the words "county of Erie," and insert the words "city of Buffalo."

Section 3, line 1, strike out the words "county of Erie," and insert the words "city of Buffalo."

Same section, line 7, strike out the word "county," and insert the word "city."

Amend the title so as to read, "An act in relation to habitual drunkards, vagrants and prostitutes in the city of Buffalo."

"An act in relation to parsonages in certain cases." With the following amendments:

Section 3, line 12, strike out the words "each of."

Same section, line 17, strike out the word "society" and insert the word "societies."

Same line, strike out the word "its" and insert the word "their."

Same section, line 16, make the word "congregation" "congregations."

Section 5, line 10, make the word "ascertain" "ascertains."

Section 7, line 5, strike out the word "same," and insert the word "may," and after the word "change" insert the words "the same."

"An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie Railroad by the New York and New England Railroad Company.'"

"An act to provide for the payment of services rendered in the open-

ing and laying out of streets, avenues and public places in the city of New York." With the following amendments:

In line 3 of section 1, after the word "streets" insert the word "or." Strike out the words "or public places," in same line. Insert after the word "proceedings" in line 8 of same section, the words "now pending or hereafter commenced for such purposes." Insert after the word "shall be," in line 9 of same section the words "estimated and." Insert in line 6 of section 2, after the word "used" the word "and."

Strike out in line 1 of section 3 the words "a bill of" and insert the words "an estimate of all." In same section, line 2, after the words "shall be" insert the word "hereafter." Strike out in line 8 of same section the words "pursuant to the provisions of this act."

Strike out all of section 4 and insert the following: "§ 4. In proceedings which have been or may hereafter be discontinued, the costs and charges which have been or may be taxed and allowed by a judge of the supreme court or a referee duly appointed therefor, shall be paid by the Comptroller, and the board of estimate and apportionment are hereby authorized and directed to include in the estimates and apportionments made by said board for the support of the municipal government for each year, an amount sufficient to pay such costs and charges as have heretofore been taxed and not included in the estimate and apportionment made for any former year."

"An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851."

Senate, "An act to amend an act entitled 'An act to amend chapter 291 of the Laws of 1870, entitled 'An act for the incorporation of villages,' passed March 25, 1874."

"An act to legalize the acts of Charles D. Barrows as notary public."

"An act to release to Maria Allen the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn." With the following amendments:

Strike out in line 2 of section 1, the word "ground," and insert the word "land." Insert after the word "dated," in line 9 of same section, the words "twentieth day of." Strike out in line 10 of same section, the words "twentieth in the year of our Lord."

"An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda.'"

"An act to amend chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water,' passed April 25, 1874." With the following amendments:

Insert in line 1 of section 1, after the words "twelve of," the words "chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water.'"

Amend the title so as to read "An act to amend chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water.'"

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed May 20, 1874," with the following amendments:

Strike out, in line 18 of section 1, the word "May," and insert the word "November."

Amend the title so as to read, "An act to amend chapter 721 of the

Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.' "

"An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs-at-law of Francis Wilson, alien, late of said city, deceased."

"An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof,' passed April 14, 1869." With the following amendments:

Section 1, line 4, strike out the words "passed the 14th day of April, 1869."

Amend the title by striking out the words "passed April 14, 1869," being all of the title after the word "thereof," in line 4 of said title.

"An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town, and of the debts thereof."

"An act to provide for the payment of jurors in protracted trials." With the following amendments:

Section 1, line 6, change the word "setting" to "sitting."

Add the following as section 2:

"§ 2. This act shall take effect immediately."

"An act to provide for the election of a public constable in the village of McGrawville, Cortland county." With the following amendments:

Insert after the word "successors," in line 12 of section 1, the words "who shall be elected at the next annual corporation election of said village." Insert at the commencement of line 13 of same section the words "for the term of one year."

"An act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town, for the construction of an iron bridge across the Hudson river, at Glens Falls, in said town." With the following amendments:

Section 1, line 8, strike out the word "such" and insert the word "the." Same line, after the word "bridge" insert the words "hereinafter mentioned."

Senate, "An act to authorize the president and trustees of the village of West Troy to issue village bonds for the purpose of providing water for public use in said village, and to provide for the payment of the same and the interest thereon." With the following amendments:

Insert the following as section 4: "§ 4. Before any bonds shall be issued under this act, a copy of the contract which is proposed to be entered into between said company and said village shall, together with the question, 'Shall bonds as aforesaid be issued?' be submitted to a meeting of the taxable inhabitants of said village at a tax meeting to be called under the provisions of the charter of said village, and if a majority of such tax payers shall vote affirmatively thereon, said bonds shall be issued for the purpose as aforesaid, and not otherwise."

Change section 4 to section 5.

"An act to legalize the action of the village of Whitehall in acquiring title to certain lands, and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection." With the following amendment:

Strike out in lines 2 and 3 of section 1 the words "of our Lord."

"An act for the relief of the Cypress Hills Cemetery."

Which report was agreed to, and said bills severally ordered engrossed and to a third reading.

By unanimous consent, on motion of Mr. Alvord, the bill entitled "An act to amend section 10 of chapter 623 of the Laws of 1874, entitled 'An act to amend an act entitled An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,'" was ordered engrossed and to a third reading.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Benedict Int. No. 800, entitled "An act to amend section 399 of the Code of Procedure," reported in favor of the passage of the same, with amendments, and the title amended so as to read "An act to amend chapter 379 of the Laws of 1848, entitled 'An act to simplify and abridge the practice, pleadings and proceedings of the courts of this State,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on the judiciary be discharged from the further consideration of the bill introduced by Mr. Lawrence, Int. No. 744, entitled "An act to locate and define the interests of the State of New York in the unclaimed and overflowed lands of Staten Island," and that the same be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 948, entitled "An act to create an inferior criminal court for the more speedy trial of persons accused of crime in the city of New York," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Prince dissented from said report.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. McGroarty, Int. No. 927, entitled "An act to authorize the board of supervisors of the county of Kings to refund certain moneys to John Christmann and Patrick Dunn," reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act for the relief of John Christmann and Patrick Dunn," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Calkins, Int. No. 891, entitled "An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county,'" reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Waehner, said bill was ordered to a third reading.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 951, entitled "An act in relation to the jurisdiction of the marine court of the city of New York, and to the justices of said court," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Vedder, Int. No. 741, entitled "An act relative to corporations transacting business in other States," reported the same for the consideration of the House, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kennaday, Int. No. 313, entitled "An act to amend the Revised Statutes relating to the recording of conveyances of real estate," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Waehner, from the committee on the judiciary, to which was referred the bill introduced by Mr. Waehner, Int. No. 950, entitled "An act for the relief of Ferdinand S. Hahn," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Alvord, said bill was ordered to a third reading.

Mr. Waehner, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Middleton, Int. No. 107, entitled "An act to legalize the acts of Ensworth D. Babcock, as notary public," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Waehner, said bill was substituted for the Assembly bill of the same title.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Alvord, Int. No. 814, entitled "An act to revise the charter of the city of Syracuse," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Shiel, Int. No. 944, entitled "An act to amend an act entitled 'An act to re-enact and amend an act entitled 'An act to incorporate the city of Yonkers, passed June 1, 1872,' passed February 28, 1873,' reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Lawson, Int. No. 704, entitled "An act to authorize the common council of the city of Buffalo to provide for compensating Anthony Stettenberg for his costs, expenses and counsel fees incurred in defending an action brought against him to determine his right to the office of street commissioner of said city," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McGroarty, Int. No. 975, entitled "An act to amend chapter 495 of the Laws of 1874, entitled 'An act in relation to certain assessments for sewers in the city of Brooklyn,' passed May 20, 1874," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. G. Taylor, Int. No. 828, entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of

Rochester,' passed April 8, 1861, and the various acts amendatory thereof or relating to the city of Rochester," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Worth, Int. No. 584, entitled "An act to amend an act entitled 'An act to authorize the South Side Railroad Company of Long Island to build or purchase branches, extend its main line, and to purchase the stock of the New York and Flushing Railroad Company, the Far Rockaway Branch Railroad Company, and Rockaway Railroad Company, of Queens county, New York, and of the Hunter's Point and South Side Railroad Company, also of Queens county, New York, and to consolidate the said companies or any two or more of them into one corporation, and also to use steam dummies,' passed May 31, 1872," retaining its place on general orders, reported in favor of the passage of the same, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hauschel, Int. No. 772, entitled "An act to provide for the reopening of a part of Bloomingdale road or Broadway, in the city of New York," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Daly, Int. No. 421, entitled "An act in relation to the repavement of the streets, avenues and highways in the city of New York," reported in favor of the passage of the same, with an amendment, and the title amended so as to read, "An act relative to the repavement of streets, avenues and highways in the city of New York, heretofore paved with wood or concrete," which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 85, entitled "An act to amend an act entitled 'An act to widen and improve a portion of Washington avenue, in the city of Brooklyn, and extend the same into the town of Flatbush,' passed April 23, 1870," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Laning, Int. No. 67, entitled "An act authorizing the common council of the city of Buffalo to make reassessments to defray the expenses of certain local improvements in said city," reported in favor of the passage of the same, which report was agreed to.

On motion of Mr. Hanrahan, said bill was ordered to a third reading.

Mr. Daly, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Fox, Int. No. 45, entitled "An act for the support and maintenance of prisoners confined upon civil process," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Stephens, Int. No. 799, entitled "An act to incorporate Friendship Hook and Ladder Company No. 4 of the

village of New Brighton, in the county of Richmond," reported adversely thereto, which report was agreed to.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Sherman, Int. No. 917, entitled "An act to incorporate the Protectorate and Reformatory for Destitute Children from Oneida and adjacent counties," reported in favor of the passage of the same, with an amendment, which report was agreed to.

On motion of Mr. Sherman, said bill was ordered printed and to a third reading.

Mr. Kennaday, from the committee on general laws, to which was recommitted the bill introduced by Mr. Hanrahan, Int. No. 374, entitled "An act to amend chapter 798 of the Laws of 1871, entitled 'An act to incorporate the Young Men's Catholic Association of the city of Buffalo,' passed April 27, 1871," retaining its place on general orders, reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill recommitted to the committee of the whole.

Mr. Kennaday, from the committee on general laws, offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on general laws be discharged from the further consideration of the bill introduced by Mr. Kshinka, Int. No. 960, entitled "An act in relation to marshals and constables serving at courts within the county of Albany," and that the same be referred to the committee on the judiciary.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Kennaday, from the committee on general laws, to which was referred the bill introduced by Mr. Cole, Int. No. 953, entitled "An act to amend an act passed May 20, 1874, entitled 'An act to amend an act passed April 17, 1861, entitled An act authorizing the establishment of the House of Refuge for Juvenile Delinquents in Western New York,'" reported in favor of the passage of the same, with amendments, and the title amended so as to read, "An act to further amend chapter 306 of the Laws of 1861, entitled 'An act to amend the act passed May 8, 1846, entitled An act to authorize the establishment of the House of Refuge for Juvenile Delinquents in Western New York,'" which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Gross, Int. No. 118, entitled "An act for the incorporation of societies or clubs for certain lawful purposes," reported in favor of the passage of the same, with an amendment, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Middleton, Int. No. 127, entitled "An act supplemental to an act entitled 'An act to provide for the incorporation of religious societies,' passed April 5, 1813, and of the several acts amendatory thereof," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Kennaday, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Gross, Int. No. 137, entitled "An act to define and limit the liens of contractors and others upon real estate in the city and county of New York, and to provide for the enforcement thereof," reported in favor of the passage of the same,

which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Hussey, Int. No. 866, entitled "An act to amend an act entitled 'An act to authorize William Hilliken to establish and maintain a ferry across the Cayuga lake at Cayuga Bridge,' passed April 20, 1871," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. O'Keefe, Int. No. 887, entitled "An act for laying out and constructing a canal in continuation of Bushwick creek, in the city of Brooklyn, and for the construction of docks," reported in favor of the passage of the same, with amendments, which report was agreed to.

On motion of Mr. O'Keefe, said bill was ordered printed and to a third reading.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Oakley, Int. No. 956, entitled "An act to authorize the erection of a free bridge across the outlet of Lake Saratoga, and the laying out, constructing and grading the avenues or approaches thereto, and the extinguishment of all rights, title and interest of the stockholders in the present toll bridge over said outlet, near Moon's Lake house," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Vosburgh, Int. No. 922, entitled "An act authorizing the construction of a carriage and foot bridge across the Hudson river, and incorporating the Albany and Rensselaer Bridge Company," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Lincoln, Int. No. 619, entitled "An act to amend chapter 634 of the Laws of 1872, entitled 'An act relating to the Pacific Mail Steamship Company, authorizing the reduction of its capital stock, and prescribing the qualification of directors,'" reported adversely thereto, which report was agreed to.

Mr. Oakley, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Dessar, Int. No. 788, entitled "An act to amend an act chapter 574 of the Laws of 1871, as amended by chapter 738 of the Laws of 1872, in relation to the department of docks," reported adversely thereto.

Mr. Dessar moved to disagree with said report, and that the bill be referred to the committee of the whole, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion to lay on the table, and it was determined in the negative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Dessar, and it was determined in the affirmative.

Said bill was so referred.

Mr. Oakley, from the committee on commerce and navigation, presented

a report in relation to the Albany and Greenbush Bridge Company; which was laid on the table and ordered printed.

(See Doc. No. 130.)

The Senate returned the bill entitled as follows:

"An act authorizing the common council of the city of Buffalo to grade and pave Forest avenue in said city, and to contract with Isaac Holloway for such work."

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Oakley, from the committee on insurance, to which was referred the bill introduced by Mr. Faulkner, Int. No. 317, entitled "An act to amend an act entitled 'An act to provide for the incorporation of fire insurance companies,' passed June 25, 1853," reported in favor of the passage of the same, with the title amended so as to read, "An act to amend chapter 466 of the Laws of 1853, entitled 'An act to provide for the incorporation of fire insurance companies,'" reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Stephens, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Dickinson, Int. No. 145, entitled "An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Norwood," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Shattuck, from the committee on agriculture, to which was referred the bill introduced by Mr. Lillybridge, Int. No. 876, entitled "An act directing inquiries to be made and reported to the next Legislature upon the subject of timber supply and the most effectual means for the maintenance thereof," reported adversely thereto, which report was agreed to.

Mr. Shattuck, from the committee on agriculture, to which was referred the Senate bill, Int. No. , entitled "An act to amend an act entitled 'An act to facilitate the forming of agricultural and horticultural societies,' passed April 13, 1855," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. G. Taylor, from the committee on public education, to which was referred the bill introduced by Mr. Edson, Int. No. 839, entitled "An act for the incorporation of library societies," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wurts, from the committee on public health, to which was referred the bill introduced by Mr. Alvord, Int. No. 769, entitled "An act to establish a State Board of Health, and to provide for the general health and for the registration of vital and other statistics, and to prevent the spread of disease in the several towns, cities and villages in the State of New York," reported adversely thereto, which report was agreed to.

Mr. Wurts, from the committee on public health, to which was referred the bill introduced by Mr. Beach, Int. No. 869, entitled "An act to amend chapter 436 of the Laws of 1874, entitled 'An act to regulate the practice of medicine and surgery in the State of New York,' passed May 11, 1874," reported in favor of the passage of the same, with amendments, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Wurts, from the committee on public health, to which was referred the Senate bill introduced by Mr. Jacobs, Int. No. 128, entitled "An act to amend an act entitled 'An act to amend chapter 467 of the Laws of 1862, entitled An act to prevent the adulteration of milk and prevent the traffic in impure and unwholesome milk,' passed May 2, 1864," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Brown, from the committee on petitions of aliens, to which was referred the bill introduced by Mr. Prince, Int. No. 958, entitled "An act to release the interest and the title of the people of the State of New York in and to certain real estate in the city of New York to Walter Bauendahl and Leonard J. Stiasny," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

On motion of Mr. Prince, said bill was ordered to a third reading.

Mr. Schuyler offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That the Regents of the University cause to be printed 2,000 copies of the revised report on the noxious, beneficial and other insects of the State, by Dr. Asa Fitch, late State entomologist, with the requisite illustrations and figures; 300 of such copies to be retained by the Regents for exchanges, 100 copies delivered to the State Agricultural Society, one copy to each agricultural society in the State, five copies to each member of the Legislature, and the remainder to be kept on sale by the Secretary of State at as nearly as may be the cost of publication; that such publication be under the editorship of said Asa Fitch, provided his remuneration therefor shall not exceed the sum of \$300; and that the bills for the editing, printing, engraving and binding of said report be paid by the Comptroller upon the certificate of the chancellor of the university, the whole expense of the same not to exceed \$5,000.

Ordered, That said resolution be referred to the committee on public printing.

Mr. Coffey, from the committee on claims, to which was referred the petition of Edward Burns, presented by Mr. Hanrahan, praying for relief on account of damages resulting from inexcusable delay in repairing bridge over Clark and Skinner canal, on Ohio street, in the city of Buffalo," reported adversely thereto, which report was agreed to.

Mr. Coffey, from the committee on claims, to which was referred the bill introduced by Mr. Benedict, Int. No. 579, entitled "An act relative to the canal claim of David Murray," reported adversely thereto, which report was agreed to.

Mr. Coffey, from the committee on claims, to which was referred the bill introduced by Mr. Ransom, Int. No. 262, entitled "An act for the relief of George Jones and Harvey Booth," reported adversely thereto, which report was agreed to.

Mr. Coffey, from the committee on claims, to which was referred the bill introduced by Mr. Ransom, Int. No. 261, entitled "An act for the relief of Jacob F. Graff," reported adversely thereto, which report was agreed to.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act to release the interest and title of the people of the State of New York in and to certain real estate in the city of New York to Walter

Bauendahl and Leonard J. Stiasny," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Prince, said bill was substituted for the Assembly bill of the same title.

By unanimous consent, Mr. Stacy introduced a bill entitled "An act to legalize the execution of a certain mortgage by the Belmont Manufacturing Company, and the proceedings of foreclosure founded thereon," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

By unanimous consent, Mr. Brown introduced a bill entitled "An act to amend an act entitled 'An act to authorize the making and opening of a road or avenue from the intersection of the highway running east of Rockland lake, with the highway running from the lake to Rockland Lake landing, in the county of Rockland, to intersect the highway running from Upper Piermont to Orangeburgh,' passed April 21, 1871, as amended and extended by an act entitled as above, and to extend Highland avenue south to the State line, passed April 24, 1872, as amended by an act passed April 23, 1873, and as amended and enlarged by an act entitled as above, and to enlarge, confirm and extend the powers of the commissioners appointed by said act, for the laying out, opening and constructing of said avenue, passed May 9, 1874, and to provide for the payment of the several sums heretofore estimated or found by said commissioners necessary to be expended by them for any of the purposes authorized by said act, or any of the amendments thereto, and as contemplated therein, and to provide the means to pay the costs and expenses of laying out, opening and constructing said avenue already incurred by said commissioners, and such as may be necessary to complete the same, and to confirm and levy an assessment or tax therefor," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Kennaday introduced a bill entitled "An act supplementary to an act entitled 'An act for the incorporation of benevolent, charitable, scientific and missionary purposes,' passed April 12, 1848, and the several acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on general laws.

By unanimous consent, Mr. Lincoln introduced a bill entitled "An act to amend chapter of the Laws of 1875, entitled 'An act to vest certain powers in the freeholders and inhabitants in the village of Canandaigua,' and the acts amendatory thereof," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Leave of absence was granted to Mr. Decker until Monday night and to Messrs. Krack, Pierson, Schieffelin and West until Tuesday.

The hour of 2 o'clock having arrived, the House adjourned to Monday evening at 7½ o'clock.

MONDAY, APRIL 19, 1875.

The House met pursuant to adjournment.

No clergyman present.

The reading of the journal of Friday, the 16th inst., was dispensed with.

Pursuant to the 9th joint rule, Mr. Speaker announced the order of business, third reading of bills.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to amend the act entitled 'An act to provide for the promotion of public health, and for draining and reclaiming overflowed and wet lands adjoining Black lake and its tributaries, in the counties of St. Lawrence and Jefferson, and for improving the hydraulic power at Ogdensburgh,' passed May 4, 1864, being chapter 577 of the Laws of 1864, as amended by chapter 180 of the Laws of 1868, and chapter 360 of the Laws of 1871."

"An act to release the interest of the people of the State of New York in certain real estate in the city of Albany to Samuel T. Fisher."

"An act to release the interest of the people of the State of New York in certain real estate in Kirkland, Oneida county, New York, to Mary Hughes, widow of James Hughes, deceased, her heirs and assigns."

"An act to release the interest of the people of the State of New York in certain real estate in the town of Avon, New York, to Margaret Curran."

"An act to authorize the appointment of commissioners to take the proof and acknowledgement of deeds and other instruments, and to administer oaths in foreign States and countries, and for other purposes, and to repeal chapter 308 of the Laws of 1858, and the acts amendatory thereof, together with so much of chapter 270 of the Laws of 1850, entitled 'An act to authorise the appointment of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in other States and territories,' and the acts amendatory thereof, as authorizes the appointment by the Governor of this State of commissioners to take the proof and acknowledgment of deeds and other instruments, and to administer oaths in the dominion of Canada."

***Ordered,* That the Clerk deliver said bills to the Governor.**

The Senate returned the bill entitled as follows:

"An act to provide for the construction of an armory and rifle range at Sing Sing, in the county of Westchester."

***Ordered,* That the Clerk deliver said bill to the Governor.**

The Senate returned the bill entitled "An act to authorize the villages of the State of New York to furnish pure and wholesome water to the inhabitants thereof," (returned from the Governor for amendment) with a message informing that they have reconsidered the vote on the final passage of said bill, and passed the same as amended by the Assembly.

***Ordered,* That the Clerk deliver said bill to the Governor.**

A message from the Senate was received and read, informing of non-concurrence in the passage of the bill entitled as follows:

"An act for the better protection of human life at public watering or bathing places."

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act conferring additional powers upon boards of excise in the several towns of this State, and repealing chapter 820 of the Laws of 1873, entitled 'An act to amend an act entitled An act to suppress intemperance and to regulate the sale of intoxicating liquors,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

"An act to extend the operation and effect of the act passed February 17, 1848, entitled 'An act to authorize the formation of corporations for manufacturing, mining, mechanical or chemical purposes,'" which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on trade and manufactures.

"An act to amend chapter 592 of the Laws of 1874, entitled 'An act to incorporate the Merchants' Loan Company,'" which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend an act entitled 'An act to amend and consolidate the several acts relating to the village of Ilion,' passed March 8, 1865," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to repeal an act entitled 'An act to further provide for the rebuilding and repairing of sewers in the city of New York,' passed March 29, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to regulate remedies against assessments in the city of Brooklyn," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Pursuant to a resolution adopted April 8, the Speaker and Clerk submitted the following list of bills as referable to the sub-committee of the whole, and recommend the adoption of the following resolution:

Resolved, That there be referred to the sub-committee of the whole the bills entitled as follows:

"An act to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevation."

"An act in relation to the Croton aqueduct of the city of New York."

"An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another upon application to the supreme court."

"An act to amend an act to authorize the common council of the city of Binghamton to purchase land for a cemetery and a public park in or outside of the city of Binghamton and lay out the same, passed April 6, 1874."

"An act to provide for a uniform system of paving and repaving of the streets, avenues and public places of the city of New York."

“An act to provide for and regulate the mode of admission of attorneys and counsellors coming from the courts of other States to practice in the courts of this State.”

“An act to amend an act entitled ‘An act concerning notaries public in the counties of Kings, Queens, Richmond, Westchester and Rockland, and in the city and county of New York, and authorizing them to exercise the functions of their office therein,’ passed June 18, 1873.”

“An act to provide means for the establishment and equipment of the building erected on that portion of the Central park formerly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1871, for the purposes of a museum of natural history.”

“An act to prevent fishing within three years in the waters of Lawson’s and McCulloch’s lake, in the county of Albany.”

“An act to further amend chapter 321 of the Laws of 1871, entitled ‘An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.’”

“An act authorizing the city of Schenectady to raise money for school purposes.”

“An act to further amend chapter 138 of the Laws of 1858, entitled ‘An act to authorize the improving and keeping in repair a certain highway in the county of Putnam, and to assess certain non-resident lands along the line of said road, and to pay the expenses of keeping the same in repair,’ passed March 24, 1857, passed April 12, 1858.”

“An act to legalize the acts of the several boards of health in the towns of Kings county, and in the towns of Newtown, Flushing and Jamaica, in the county of Queens.”

“An act to amend article 3 of title 3 of chapter 6 of part 2 of the Revised Statutes, relating to the distribution of the personal property of persons dying intestate.”

“An act to amend section 6 of an act entitled ‘An act for the incorporation of villages,’ passed April 20, 1870.”

“An act to amend chapter 389 of the Laws of 1854, entitled ‘An act to amend and consolidate the laws in relation to Amsterdam village, in Montgomery county.’”

“An act to amend chapter 54 of the Laws of 1871, entitled ‘An act to amend the charter of the village of Warsaw, and to authorize said village to raise money to procure water, and to protect said village and the property therein against loss by fire.’”

“An act to further amend chapter 776 of the Laws of 1870, entitled ‘An act to amend an act entitled An act to provide for the incorporation of villages,’ passed December 7, 1847, and the several acts amendatory thereof, so far as the same relate to the village of Mount Vernon, in the county of Westchester, and to declare, enlarge and define the powers and duties of the officers of said village, and to confirm and extend the powers of the corporation of said village.’”

“An act further to amend chapter 229 of the Laws of 1870, entitled ‘An act to organize and establish a police for the city of Schenectady.’”

“An act to authorize the common council of the city of Buffalo to order to be assessed and to cause to be raised by local assessment, the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breckenridge street, in said city, upon and from the lands benefited thereby.”

“An act to amend an act entitled ‘An act to improve and regulate the

use of the Fourth avenue in the city of New York,' passed May 14, 1872."

"An act to alter the commissioners' map of the city of Brooklyn, and closing a part of Bushwick avenue court-yard."

"An act to amend an act entitled 'An act to incorporate the village of Gouverneur, in the county of St. Lawrence, and to repeal its charter,' passed April 29, 1868."

"An act to authorize the president and trustees of the village of West Troy to raise by tax upon the taxable property within said village such sum or sums as are necessary to meet and pay the outstanding indebtedness of said village."

"An act to authorize the board of trustees of the village of Athens, in the county of Greene, to permit gas-pipes to be laid in the streets of said village."

"An act to amend chapter 181 of the Laws of 1872, entitled 'An act for the better prevention of the procurement of abortions and other like offenses, and to amend the Laws relative thereto.'"

"An act to make further provision for the payment of further expenses of the local government of the city of New York."

"An act to amend section 15 of article 1 of chapter 3 of part 1 of the Revised Statutes, relative to the paying over of moneys by the collectors of taxes in the several towns of this State."

"An act in relation to the Flushing high school in school district No. 5 of the town of Flushing, Queens county."

"An act to amend chapter 548 of the Laws of 1869, entitled 'An act to authorize the construction and maintaining of a free bridge over the Chemung river, in the town of Chemung, in the county of Chemung.'"

"An act to amend chapter 435, Laws of 1873, entitled 'An act to amend chapter 733, Laws of 1872, entitled An act to amend chapter 721 of the Laws of 1871, entitled An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' passed April 26, 1871, also to repeal section 30 of said act."

"An act to amend an act entitled 'An act to amend the act for the protection and improvement of the Seneca Indians residing on the Cataraugus and Allegany reservations, in this State,' passed November 15, 1847."

"An act to appoint commissioners to erect a city hall in and for Long Island City, and to provide for the expenses of the same."

"An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate."

"An act to change the commissioners for the construction of a bridge across the Hudson river at or near the mouth of North creek, in Warren county."

"An act providing for the disposition of excise moneys in the several towns of Orange county, except the city and town of Newburgh."

"An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county.'"

"An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the town of Newtown, Queens county.'"

Senate, "An act to release the title and interest of the people of the State of New York in and to certain real estate of which Henry Doyle,

late of the city of Auburn, in the State of New York, died seized, to Bridget Doyle, his wife."

Senate, "An act for the preservation of fish in Chautauqua lake."

Senate, "An act relating to the term of office of clerk of the commission of appeals."

Senate, "An act to authorize the New York and Hudson Steamboat Company to mortgage its property."

Senate, "An act legalizing certain proceedings of a town meeting, held in the town of Moriah, Essex county, on the first Tuesday of March, 1875."

Senate, "An act for the relief of Catherine T. Wetmore and her children."

Senate, "An act to amend chapter 344 of the Laws of 1860, entitled 'An act relating to the support of the poor of Rensselaer county,' passed April 13, 1860, and to define the term of office of the acting superintendent and auditing superintendent of the poor now in office under said act.' "

Senate, "An act to change the name of the village of Potsdam Junction, in the town of Potsdam, in the county of St. Lawrence, to Norwood."

By unanimous consent, Mr. Speaker introduced a bill entitled "An act to authorize the city of Elmira to pay claims for damages to certain lands caused by the erection of an elevated bridge upon Washington avenue, in said city," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Alvord, said bill was ordered to a third reading.

Mr. Husted offered for the consideration of the House a resolution, in the words following:

Whereas, This day witnesseth the centennial of that glorious event which forshadowed the future of the republic; and,

Whereas, The liberties which we enjoy were one hundred years ago won by the martyrs of Lexington and Concord, who sealed with their life-blood their devotion to the principles of universal freedom; and,

Whereas, The people of the State of New York, in Legislature assembled, claim with their brethren of the commonwealth of Massachusetts an equal right to commemorate the initial struggle of the Revolution, and feel alike an honorable pride in hallowing the names and perpetuating the memory of the brave men "who died that we all might live;" therefore,

Resolved, That in a spirit of devotion to the principles for which our fathers fought, and rendering to Almighty God our heartfelt thanks for the many blessings that His loving kindness and mercy have for a century vouchsafed to us as a people and a nation, this House do now adjourn.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Thereupon, at 8 o'clock and 10 minutes, the House adjourned.

TUESDAY, APRIL 20, 1875.

The House met pursuant to adjournment.

No clergyman present.

The journal of yesterday was read and approved.

The Senate returned the bills entitled as follows:

"An relating to stock of the Delhi and Middletown Railroad Company, owned by the town of Andes, Delaware county."

"An act to authorize the election of town auditors in the several towns of this State, and to prescribe their powers and duties."

"An act to authorize the establishment of a female department to the Western House of Refuge for Juvenile Delinquents."

Ordered, That the Clerk deliver said bills to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to a resolution in the words following:

Resolved (if the Assembly concur), That the State Engineer and Surveyor shall cause to be made, before the water is let into the Erie canal, a survey of the general condition of the canal and its capacity to hold full seven feet depth of water; to report the result of such survey, if practicable, to this Legislature, and to state at what places and for what distances the said canal has not the full depth of seven feet, and the probable cost in order to give that depth throughout its entire length.

By unanimous consent,

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message informing that the Assembly have passed the same.

The Senate returned the bill entitled "An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same," with a message informing of concurrence in the passage of the same, with the following amendments:

Strike out all of section 1 after line 1, and insert the following:

"§ 2. The city shall be divided into five wards, as follows, viz.: The boundaries of the first, second and fourth wards shall remain as now constituted. The third ward shall comprise all that part of the third ward as now constituted, lying east of the center of the Erie canal. The fifth ward shall comprise that part of the third ward as now constituted, lying west of the center of the Erie canal, and bounded and described as follows, to wit: Commencing at a point where the center line of the Erie canal intersects the center line of Columbia street, running thence northerly along the center line of the Erie canal to a point where it intersects the center line of Cataract alley, extended in a direct line to the center of said canal; thence running westerly in the direct line of Cataract alley extended, to the center of the track of the New York Central railroad; thence northerly along the center line of said railroad track to the center of Boght road; thence running westerly along the center line of the said road to the westerly bounds of the city; thence running southerly and along the west bounds of the city

to the center line of Columbia street; thence easterly along the center line of Columbia street to the place of beginning."

Strike out section 2 and insert the following:

"§ 2. There shall be elected at the first annual election in said city after the passage of this act, and at every annual election thereafter, all the officers provided for as ward officers in the city hereby amended; one alderman and one school commissioner, elected at such first annual election, shall hold their office for one year after such election, and one alderman and one school commissioner shall hold their office for two years after such election. Each elector shall designate on his ballot, to be cast at such election, one person to serve as alderman and one person to serve as school commissioner for one year, and one person to serve as alderman and one person to serve as school commissioner for two years; but no ballot shall be counted when it shall contain the names of more than two persons for alderman and two persons for school commissioner. And all the provisions of the act hereby amended shall apply to such first and subsequent elections, except as herein otherwise provided."

Strike out section 4.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Comstock	Lawson	Schuyler
Badger	Costigan	Lewis	Scudder
Barkley	Daggett	Lillybridge	Shattuck
Barrow	Daly	Lincoln	Sherman
Beardsley	Decker	Mackin	Sherwood
Benedict	Ely	McGowan	Shiel
Bennett	Gallagher	McGroarty	Smith
Bishop	Gedney	Merwin	Speaker
Bordwell	Green	Oakley	Stacy
Bowen	Griffin	Peck	Stephens
Braman	Hammond	Petty	Struble
Brown	Hanrahan	Pierson	Talmage
Burtis	Hauschel	Prince	G. Taylor
Calkins	Hogan	Ransom	W. F. Taylor
T. C. Campbell	Holmes	Rich	Vedder
T. J. Campbell	Hussey	Roscoe	Wellington
Clark	W. Johnson	Russell	Wenzel
Cleary	Keenan	Sanford	Whitmore
Coffey	Kirk	Schieffelin	Worth
Cole	Kshinka		

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to authorize the New York Bowery Insurance Company to elect one or more vice-presidents,"

with a message informing of concurrence in the passage of the same, with the following amendments:

Section 1, after the word "Bowery" insert the word "Fire."

Amend the title by inserting after the word "Bowery" the word "Fire."

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kshinka	Russell
Badger	Daly	Lawrence	Sanford
Barkley	Decker	Lawson	Schieffelin
Barrow	Ely	Lewis	Schuyler
Beardsley	Fay	Lillybridge	Scudder
Benedict	Gallagher	Lincoln	Shattuck
Bennett	Gedney	Mackin	Sherman
Berry	Green	McGowan	Sherwood
Bishop	Griffin	McGroarty	Shiel
Bordwell	Hammond	Merwin	Smith
Bowen	Hanrahan	J. W. Miller	Speaker
Braman	Hauschel	Oakley	Stacy
Burtis	Hogan	Peck	Stephens
Calkins	Holmes	Petty	Struble
T. J. Campbell	Hussey	Pierson	Talmage
Clark	W. Johnson	Prince	G. Taylor
Coffey	W. A. Johnson	Ransom	W. F. Taylor
Cole	Keenan	Reilly	Wellington
Comstock	Kirk	Rich	Wenzel
Cooke	Krack	Roscoe	Whitmore
Costigan			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to further amend chapter 180 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers,'" with a message informing of concurrence in the passage of the same, with the following amendments:

Strike out in section 1 all after the word "district," in line 16, down to and including the word "election" in lines 18 and 19."

Add at the end of section 1 the following: "and that you have not made any bet or wager, and are not directly or indirectly interested in any bet or wager depending upon the result of this election.' If the person so offering shall be challenged on the ground of having been convicted of bribery or any infamous crime, the following additional oath shall be administered to him by one of the inspectors: 'You do swear (or affirm) that you have not been convicted of bribery or any infamous crime, or if so convicted, that you have been pardoned and restored to all the rights of a citizen.'

"§ 2. Section 28 of said title is hereby amended so as to read as follows:

"§ 28. Any person who, having been convicted of bribery or any infamous crime, shall vote at any election, unless he shall have been pardoned and restored to all the rights of a citizen, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned in the county jail for the term of six months."

Change section 2 to section 8.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kshinka	Sanford
Badger	Decker	Lawrence	Schenck
Barrow	Dessar	Lawson	Schieffelin
Beardsley	Ely	Lewis	Schnyder
Benedict	Fay	Lillybridge	Souder
Bennett	Gallagher	Lincoln	Shattuck
Berry	Gedney	Mackin	Sherman
Bishop	Green	McGowan	Sherwood
Bordwell	Griffin	McGroarty	Shiel
Bowen	Hammond	Merwin	Smith
Braman	Hanrahan	Oakley	Speaker
Burtis	Hauschel	O'Keefe	Stacy
Calkins	Hepburn	Page	Stephens
T. C. Campbell	Hogan	Peck	Struble
T. J. Campbell	Holmes	Petty	Talmage
Clark	Hussey	Pierson	G. Taylor
Coffey	W. Johnson	Prince	W. F. Taylor
Cole	W. A. Johnson	Reilly	Vosburgh
Comstock	Keenan	Rich	Wenzel
Cooke	Kirk	Roscoe	Whitmore
Costigan	Krack	Russell	Worth
Daggett			

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act in relation to the census or enumeration of the inhabitants of the State," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hammond, and by unanimous consent, said bill was ordered to a third reading.

"An act for the relief of the children of Samuel F. Pratt, late of the city of Buffalo, deceased," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hanrahan, and by unanimous consent, said bill was ordered to a third reading.

A message from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER, }
ALBANY, *April* 16, 1875. }

To the Assembly:

Pursuant to a resolution of the Assembly and Senate, I have the honor to transmit herewith for amendment Assembly bill No. 59, entitled "An act to provide for the better care of pauper and destitute children."

SAMUEL J. TILDEN.

Mr. Speaker put the question whether the House would agree to reconsider the vote by which said bill was passed, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Russell
Badger	Daly	Kirk	Sanford
Barkley	Davis	Krack	Schenck
Barrow	Decker	Law	Schieffelin
Beach	Ely	Lawrence	Schuyler
Benedict	Faulkner	Lawson	Scudder
Berry	Fish	Lillybridge	Shattuck
Bishop	Gallagher	Lincoln	Sherwood
Bordwell	Gedney	McGowan	Shiel
Bowen	Green	McGroarty	Silverman
Braman	Griffin	Merwin	Speaker
Brown	Hammond	J. W. Miller	Stacy
Burtis	Hanrahan	Oakley	Stauf
Calkins	Hauschel	O'Keefe	Stephens
T. C. Campbell	Hepburn	Page	Struble
T. J. Campbell	Hess	Peck	Talmage
Clark	Hogan	Petty	G. Taylor
Cleary	Holmes	Pierson	Wenzel
Coffey	Hussey	Prince	West
Cole	Hasted	Ransom	Whitmore
Comstock	W. Johnson	Rich	Witbeck
Cooke	Keenan	Roscoe	Worth

Mr. Kennaday moved to refer said bill to the committee on general laws.

Mr. Alvord moved to amend by referring said bill to the committee on ways and means.

Mr. Lincoln moved to further amend by adding "that they report back Wednesday morning."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Lincoln, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Alvord, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Kennaday, as amended, and it was determined in the affirmative.

The Senate returned the bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,'" with a message informing that they have reconsidered the vote on the final passage of said bill, and passed the same as amended by the Assembly.

Mr. Schieffelin moved to again reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to said motion to reconsider, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Kirk	Roscoe
Badger	Decker	Krack	Russell
Barrow	Ely	Lawrence	Sanford
Benedict	Farrar	Lawson	Schenck
Berry	Faulkner	Lewis	Schieffelin
Bishop	Fay	Lillybridge	Schuyler
Bordwell	Fish	Lincoln	Scudder
Bowen	Gallagher	McAfee	Sherman
Braman	Gedney	McGowan	Sherwood
Brown	Griffin	McGroarty	Shiel
Burtis	Hammond	Merwin	Silverman
Calkins	Hanrahan	J. W. Miller	Speaker
T. C. Campbell	Hauschel	Oakley	Stauf
T. J. Campbell	Hepburn	O'Keefe	Stephens
Clark	Hess	Peck	Struble
Cleary	Hogan	Petty	Talmage
Coffey	Holmes	Pierson	G. Taylor
Cole	Husted	Prince	Wenzel
Comstock	W. Johnson	Ransom	West
Cooke	W. A. Johnson	Reilly	Willis
Costigan	Keenan	Rich	Worth
Daly	Kennaday		

Mr. Schieffelin moved to refer said bill to the committee on affairs of villages, with instructions to amend as follows: Amend section 3 of engrossed bill so as to read: "§ 3. Section 6 of title 4 of said act is hereby repealed," and that said committee report the same back forthwith.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Stephens, from the committee on affairs of villages, reported back said bill amended as instructed by the House.

Said bill, as amended, was then read a third time.

{ AYES 82 }
 { NOES 2 }

Those who voted in the affirmative, were

Alvord	Dessar	Lawrence	Scudder
Badger	Ely	Lawson	Seward
Barkley	Farrar	McAfee	Shattuck
Benedict	Faulkner	McGowan	Sherman
Berry	Fay	Merwin	Sherwood
Bishop	Fish	J. W. Miller	Silverman
Bordwell	Gallagher	Oakley	Smith
Braman	Gedney	O'Keefe	Speaker
Burtis	Green	Page	Struble
Calkins	Griffin	Peck	Talmage
T C. Campbell	Hammond	Petty	G. Taylor
T. J. Campbell	Hanrahan	Pierson	Tewksbury
Clark	Hauschel	Prince	Vedder
Cleary	Hepburn	Ransom	Waehner
Cole	Hogan	Roscoe	Wellington
Comstock	Holmes	Russell	Wenzel
Cooke	Hussey	Sanford	West
Costigan	Husted	Schenck	Whitmore
Daggett	W. A. Johnson	Schieffelin	Willis
Daly	Kennaday	Schuyler	Worth
Decker	Kshinka		

Those who voted in the negative, were

Keenan Krack

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein, as amended.

Mr. Hammond, from the committee of conference on the Senate bill entitled "An act to reorganize the Thomas Asylum for Orphan and Destitute Indian Children on the Cattaraugus Reservation, and to provide for its management and maintenance," submitted the following report:

The committee having duly met and considered the same, have agreed to recommend as follows: That both Houses concur in the amendment of the Assembly, amended so as to read:

"§ 6. There shall hereafter be annually allowed and appropriated the sum of eight thousand five hundred dollars for the support and maintenance, at the rate of eighty-five dollars per capita per annum for each child maintained and educated in said asylum."

Change section 6 to section 7.

A. G. DOW,
 A. P. LANING,
 D. P. WOOD,
Senate Committee.

S. H. HAMMOND,
 NATHAN D. PETTY,
 S. T. BENEDICT,
 T. C. CAMPBELL,
 JOHN P. BADGER,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 96 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Ely	Lawrence	Schuyler
Badger	Farrar	Lawson	Scudder
Barkley	Faulkner	Lewis	Seward
Benedict	Fay	Lillybridge	Shattuck
Bennett	Fish	Lincoln	Sherman
Berry	Gallagher	McAfee	Sherwood
Bishop	Gedney	McGowan	Shiel
Bordwell	Green	Merwin	Silverman
Braman	Griffin	J. W. Miller	Smith
Brown	Hammond	Oakley	Speaker
Burtis	Hanrahan	O'Keefe	Stephens
Calkins	Hanschel	Page	Struble
T. C. Campbell	Hepburn	Peck	Talmage
T. J. Campbell	Hess	Petty	G. Taylor
Cleary	Hogan	Pierson	W. F. Taylor
Coffey	Holmes	Prince	Tewksbury
Cole	Hussey	Ransom	Vedder
Comstock	Husted	Reilly	Waehner
Costigan	W. A. Johnson	Rich	Wellington
Daggett	Keenan	Roscoe	Wenzel
Daly	Kennaday	Russell	West
Davis	Kirk	Sanford	Whitmore
Decker	Krack	Schenck	Willis
Dessar	Law	Schieffelin	Worth

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

The bill entitled "An act to amend chapter 790 of the Laws of 1872, entitled 'An act to establish a special road district and appropriate the highway taxes on the non-resident lands therein, for the constructing of a road from Blood's hotel to Tupper's lake, in Franklin county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Davis	Krack	Schieffelin
Badger	Decker	Kshinka	Scudder
Barkley	Dessar	Law	Seward
Beardsley	Farrar	Lawrence	Shattuck
Benedict	Faulkner	Lawson	Shiel
Bennett	Fay	Lewis	Smith
Berry	Fish	Lillybridge	Speaker
Bishop	Fream	Lincoln	Stauf

Bordwell	Gallagher	McAfee	Struble
Braman	Gedney	McGowan	Talmage
Broas	Green	McGroarty	G. Taylor
Brown	Hanrahan	Merwin	W. F. Taylor
Burtis	Hauschel	J. W. Miller	Tewksbury
T. C. Campbell	Hepburn	Oakley	Tremain
T. J. Campbell	Hess	O'Keefe	Vedder
Clark	Hogan	Page	Vosburgh
Cleary	Holmes	Petty	Waehner
Cole	Hussey	Pierson	Wellington
Comstock	Husted	Prince	Wenzel
Cooke	W. A. Johnson	Rich	West
Costigan	Keenan	Roscoe	Willis
Daggett	Kennaday	Russell	Worth
Daly	Kirk	Sanford	

For the negative,

Griffin

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the religious society in the city of New York, known as the Temple Bethel, to buy and hold land for cemetery purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Schuyler
Badger	Davis	Krack	Scudder
Barkley	Decker	Kshinka	Seward
Beardsley	Dessar	Lawrence	Shattuck
Benedict	Ely	Lawson	Sherman
Bennett	Farrar	Lewis	Sherwood
Berry	Faulkner	Lillybridge	Shiel
Bishop	Fay	Lincoln	Smith
Bordwell	Fish	McGowan	Stacy
Bowen	Gallagher	McGroarty	Struble
Braman	Gedney	Merwin	Talmage
Broas	Green	J. W. Miller	G. Taylor
Brogan	Hammond	Oakley	W. F. Taylor
Brown	Hanrahan	Page	Tewksbury
Burtis	Hauschel	Peck	Tremain
T. C. Campbell	Hepburn	Petty	Vedder
T. J. Campbell	Hess	Pierson	Vosburgh
Clark	Hogan	Prince	Waehner
Cleary	Holmes	Ransom	Wellington
Coffey	Hussey	Rich	Wenzel

Cole	Husted	Roscoe	West
Cooke	W. A. Johnson	Russell	Whitmore
Costigan	Keenan	Sanford	Worth
Daggett	Kennaday	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the preservation of fish in the waters of Oak Orchard creek, in the counties of Genesee and Orleans," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Lawrence	Seward
Badger	Farrar	Lawson	Shattuck
Barkley	Faulkner	Lillybridge	Sherman
Benedict	Fay	Lincoln	Shiel
Bennett	Fish	McAfee	Smith
Berry	Gallagher	McGowan	Speaker
Bordwell	Gedney	McGroarty	Stacy
Braman	Green	Merwin	Stauf
Broas	Hammond	J. W. Miller	Struble
Brown	Hanrahan	Oakley	Talmage
Calkins	Hauschel	O'Keefe	G. Taylor
T. C. Campbell	Hepburn	Page	Tewksbury
T. J. Campbell	Hess	Peck	Tremain
Clark	Hogan	Petty	Vedder
Cleary	Holmes	Prince	Vosburgh
Coffey	Hussey	Ransom	Waehner
Cole	Husted	Reilly	Wellington
Comstock	W. A. Johnson	Rich	Wenzel
Costigan	Keenan	Roscoe	West
Daggett	Kennaday	Sanford	Whitmore
Daly	Kirk	Schenck	Willis
Decker	Krack	Schuyler	Worth
Dessar	Kshinka	Scudder	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in regard to sewerage and other improvements in Long Island City," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kshinka	Schuyler
Badger	Dessar	Lawrence	Scudder
Barkley	Ely	Lawson	Seward
Beardsley	Farrar	Lincoln	Sherman
Benedict	Faulkner	McAfee	Shiel
Bennett	Fish	McGowan	Speaker
Berry	Gallagher	McGroarty	Stauf
Bordwell	Gedney	Merwin	Struble
Braman	Green	J. W. Miller	Talmage
Broas	Griffin	Oakley	G. Taylor
Brown	Hammond	O'Keefe	W. F. Taylor
Burtis	Hanrahan	Page	Tewksbury
Calkins	Hauschel	Peck	Tremain
T. C. Campbell	Hess	Petty	Vedder
T. J. Campbell	Hogan	Pierson	Vosburgh
Clark	Holmes	Prince	Waehner
Cleary	Hussey	Ransom	Wellington
Coffey	Husted	Reilly	Wenzel
Cole	W. A. Johnson	Rich	West
Cooke	Keenan	Russell	Whitmore
Costigan	Kennaday	Sanford	Willis
Daggett	Kirk	Schenck	Worth
Daly	Krack	Schieffelin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 438 of the Laws of 1862, entitled 'An act to provide for the formation of societies for the prevention of horse stealing,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Kshinka	Schuyler
Badger	Farrar	Lawrence	Scudder
Barkley	Faulkner	Lawson	Seward
Beardsley	Fay	Lillybridge	Sherman
Benedict	Fish	Lincoln	Sherwood
Berry	Gallagher	McGowan	Shiel
Bishop	Gedney	McGroarty	Smith
Bordwell	Green	Merwin	Speaker
Braman	Griffin	J. W. Miller	Stephens
Broas	Hammond	Oakley	Struble
Burtis	Hanrahan	O'Keefe	Talmage
Calkins	Hauschel	Page	G. Taylor

T. C. Campbell	Hepburn	Peck	W. F. Taylor
T. J. Campbell	Hess	Petty	Tewksbury
Clark	Hogan	Pierson	Tremain
Cleary	Holmes	Prince	Vedder
Coffey	Hussey	Ransom	Vosburgh
Cole	Husted	Reilly	Waehner
Cooke	W. A. Johnson	Rich	Wellington
Costigan	Keenan	Roscoe	Wenzel
Daggett	Kennaday	Russell	Whitmore
Daly	Kirk	Schenck	Willis
Decker	Krack	Schieffelin	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to Congress Hall," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 69 }
{ NOES 13 }

Those who voted in the affirmative, were

Alvord	Decker	Lewis	Scudder
Barkley	Ely	Lillybridge	Seward
Beardsley	Faulkner	McGowan	Sherwood
Benedict	Fay	McGroarty	Stacy
Bennett	Fish	Merwin	Stauf
Berry	Green	J. W. Miller	Talmage
Bishop	Hess	O'Keefe	W. F. Taylor
Bordwell	Hogan	Page	Tewksbury
Bowen	Holmes	Peck	Vedder
Braman	Hussey	Petty	Vosburgh
Brown	W. Johnson	Reilly	Waehner
Burtis	W. A. Johnson	Rich	Wellington
T. C. Campbell	Keenan	Roscoe	Wenzel
Cleary	Kennaday	Russell	West
Coffey	Kirk	Sanford	Whitmore
Comstock	Kshinka	Schenck	Willis
Cooke	Lawson	Schieffelin	Worth
Daggett			

Those who voted in the negative, were

Clark	Hanrahan	Oakley	Ransom
Costigan	Hauschel	Pierson	Shiel
Gallagher	Lincoln	Prince	Struble
Gedney			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, the bill entitled "An act to provide for a correct interpretation of the statutes of this State having reference to intoxicating liquors," was taken from the table, and read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 57 }
{ NOES 37 }

Those who voted in the affirmative, were

Alvord	Fish	McGowan	Sherman
Barkley	Gallagher	McGroarty	Shiel
Benediot	Gedney	J. W. Miller	Silverman
Bennett	Griffin	Oakley	Smith
Braman	Hanrahan	O'Keefe	Speaker
Broas	Hauschel	Page	Stauf
T. C. Campbell	Hess	Pierson	Stephens
T. J. Campbell	W. Johnson	Prince	Talmage
Cleary	Keenan	Ransom	G. Taylor
Coffey	Kirk	Reilly	Tremain
Costigan	Krack	Rich	Vosburgh
Daly	Kshinka	Schenck	Waehner
Dessar	Lawrence	Schieffelin	Wenzel
Ely	Lawson	Seward	Worth
Faulkner			

Those who voted in the negative, were

Bishop	Hepburn	Lincoln	Stacy
Bordwell	Hogan	Merwin	Struble
Bowen	Holmes	Peck	W. F. Taylor
Clark	Hussey	Petty	Tewksbury
Comstock	Husted	Roscoe	Vedder
Daggett	W. A. Johnson	Russell	Wellington
Decker	Law	Sanford	West
Farrar	Lewis	Scudder	Whitmore
Fay	Lillybridge	Sherwood	Willis
Green			

Mr. Worth moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled 'An act authorizing the city of Kingston to issue bonds in order to create a fund for the purpose of completing and furnishing the city hall in said city, and of paying for and improving the city hall lot,' was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Keenan	Russell
Badger	Decker	Kirk	Sanford

Barkley	Dessar	Krack	Schenck
Benedict	Ely	Kshinka	Schieffelin
Berry	Farrar	Law	Schuyler
Bishop	Faulkner	Lawrence	Scudder
Bordwell	Fay	Lawson	Sherman
Bowen	Fish	Lincoln	Shiel
Braman	Gallagher	McGowan	Silverman
Broas	Green	McGroarty	Speaker
Brown	Griffin	J. W. Miller	Stauf
Calkins	Hammond	Oakley	Stephens
T. C. Campbell	Hanrahan	O'Keefe	Struble
T. J. Campbell	Hauschel	Page	Talmage
Clark	Hepburn	Peck	G. Taylor
Cleary	Hess	Petty	Tewksbury
Coffey	Hogan	Pierson	Vosburgh
Cole	Holmes	Ransom	Waehner
Comstock	Hussey	Reilly	Wellington
Costigan	Husted	Rich	Wenzel
Daggett	W. A. Johnson	Roscoe	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for a public park in the city of Lockport," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kirk	Schenck
Badger	Daly	Krack	Schieffelin
Barrow	Decker	Kshinka	Schuyler
Benedict	Ely	Lawrence	Scudder
Bennett	Farrar	Lawson	Seward
Berry	Faulkner	Lewis	Sherman
Bishop	Fay	Lillybridge	Sherwood
Bordwell	Fish	Lincoln	Shiel
Bowen	Gallagher	McGowan	Speaker
Braman	Green	McGroarty	Stauf
Brogan	Griffin	J. W. Miller	Stephens
Brown	Hammond	Oakley	Struble
Burtis	Hanrahan	Page	Talmage
Calkins	Hauschel	Peck	G. Taylor
T. C. Campbell	Hepburn	Petty	Tewksbury
T. J. Campbell	Hess	Pierson	Tremain
Clark	Hogan	Prince	Vosburgh
Cleary	Holmes	Ransom	Waehner
Coffey	Husted	Reilly	Wenzel
Comstock	W. A. Johnson	Rich	Whitmore
Cooke	Keenan	Russell	Worth
Costigan	Kennaday		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act releasing the interest of the State of New York in certain lands of which Robert A. Lamont died seized to Angelina Post, Elizabeth Huber, Schuyler Lamont and Charles Lamont, heirs-at-law of said Robert A. Lamont, deceased," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Russell
Badger	Davis	Kirk	Sanford
Barkley	Decker	Krack	Schenck
Beach	Dessar	Kshinka	Schieffelin
Benedict	Ely	Lawrence	Schuyler
Berry	Farrar	Lawson	Soudder
Bordwell	Faulkner	Lillybridge	Seward
Bowen	Fay	Lincoln	Sherman
Braman	Fish	McGowan	Sherwood
Broas	Gallagher	McGroarty	Shiel
Brown	Green	J. W. Miller	Speaker
Burtis	Griffin	Oakley	Stauf
Calkins	Hammond	O'Keefe	Struble
T. C. Campbell	Hanrahan	Page	Talmage
T. J. Campbell	Hauschel	Peck	G. Taylor
Clark	Hepburn	Petty	W. F. Taylor
Cleary	Hess	Pierson	Tewksbury
Coffey	Hogan	Pope	Vedder
Cole	Holmes	Prince	Vosburgh
Comstock	Hussey	Ransom	Waehner
Cooke	Husted	Reilly	Wenzel
Costigan	W. A. Johnson	Rich	Whitmore
Daggett	Keenan	Roscoe	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the better suppression of vice and of obscene literature," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 67 }
{ NOES 19 }

Those who voted in the affirmative, were

Badger	Daly	McAfee	Shattuck
Barkley	Decker	McGowan	Sherman
Beach	Farrar	McGroarty	Sherwood

Beardsley	Green	J. W. Miller	Shiel
Benedict	Griffin	O'Keefe	Silverman
Bishop	Hepburn	Page	Stacy
Bordwell	Hess	Peck	Struble
Bowen	Hussey	Petty	Talmage
Braman	Husted	Prince	G. Taylor
Broas	W. A. Johnson	Rich	W. F. Taylor
Brown	Keenan	Russell	Tewksbury
Burtis	Kirk	Sanford	Tremain
Calkins	Kshinka	Schenck	Vedder
T. C. Campbell	Law	Schieffelin	Vosburgh
Clark	Lawson	Schuyler	Wellington
Comstock	Lillybridge	Scudder	Whitmore
Daggett	Lincoln	Seward	

Those who voted in the negative, were

Alvord	Davis	Hauschel	Pierson
Bennett	Dessar	Holmes	Ransom
Berry	Ely	Lawrence	Speaker
Coffey	Fay	Lewis	Waehner
Cooke	Fish	Merwin	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the regulation of the sale of oysters in the city of New York, and the better protection of the retail dealers of the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }
{ NOES 7 }

Those who voted in the affirmative, were

Alvord	Cooke	Hussey	Rich
Badger	Costigan	Husted	Roscoe
Barkley	Daggett	W. A. Johnson	Russell
Beardsley	Daly	Keenan	Sanford
Benedict	Davis	Kirk	Schenck
Berry	Decker	Krack	Schuyler
Bishop	Dessar	Kshinka	Scudder
Bordwell	Ely	Lawrence	Shattuck
Bowen	Farrar	Lawson	Sherwood
Braman	Faulkner	Lewis	Silverman
Broas	Fay	Lillybridge	Smith
Brown	Green	Mackin	Talmage
Burtis	Griffin	McAfee	G. Taylor
Calkins	Haurahan	McGroarty	Tremain
T. J. Campbell	Hauschel	Merwin	Vosburgh
Clark	Hepburn	O'Keefe	Waehner
Cole	Hess	Page	Witbeck
Comstock	Holmes	Pierson	

Those who voted in the negative, were

Beach	Hogan	Schieffelin	Stacy
Coffey	McGowan	Seward	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act relating to the construction of sidewalks upon Ellicott avenue, in the village of Batavia," was read a third time,

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 86 {
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Decker	Krack	Schenck
Badger	Dessar	Kshinka	Schieffelin
Barkley	Ely	Lawrence	Schuyler
Beach	Farrar	Lawson	Scudder
Benedict	Fay	Lewis	Seward
Berry	Fish	Lillybridge	Sherman
Bishop	Gallagher	Lincoln	Shiel
Bordwell	Green	Mackin	Silverman
Bowen	Griffin	McAfee	Speaker
Braman	Hammond	McGowan	Staaf
Broas	Hanrahan	McGroarty	Stephens
Brown	Hauschel	J. W. Miller	Struble
Burtis	Hepburn	Oakley	Talmage
Calkins	Hess	O'Keefe	G. Taylor
T. C. Campbell	Hogan	Page	W. F. Taylor
T. J. Campbell	Holmes	Peck	Tremain
Clark	Hussey	Petty	Vosburgh
Coffey	Husted	Pierson	Waehner
Cole	W. A. Johnson	Prince	Wenzel
Cosigan	Keenan	Rich	West
Daggett	Kennaday	Roscoe	Wurts
Daly	Kirk		

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 1 of chapter 693 of the Laws of 1873, so as to include the waters of Findley's lake, in the county of Chautauqua," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

} AYES 88 {
} NOES 00 {

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Sanford
Badger	Decker	Krack	Schenck

Barkley	Dessar	Kshinka	Schieffelin
Beach	Ely	Lawrence	Schuyler
Benedict	Farrar	Lawson	Seward
Berry	Faulkner	Lewis	Sherman
Bishop	Fay	Lillybridge	Sherwood
Bordwell	Fish	Lincoln	Shiel
Bowen	Green	Mackin	Smith
Braman	Griffin	McAfee	Speaker
Broas	Hammond	McGowan	Stauf
Brown	Hanrahan	McGroarty	Struble
Burtis	Hauschel	J. W. Miller	Talmage
Calkins	Hepburn	Oakley	G. Taylor
T. C. Campbell	Hess	O'Keefe	W. F. Taylor
T. J. Campbell	Hogan	Page	Vedder
Clark	Holmes	Peck	Vosburgh
Coffey	Hussey	Petty	Waehner
Cole	Husted	Pierson	Wellington
Cooke	W. A. Johnson	Ransom	Wenzel
Costigan	Keenan	Rich	West
Daggett	Kennaday	Roscoe	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 583 of the Laws of 1874, entitled 'An act to lay out and improve a public highway or avenue and concourse in continuation of a public highway or avenue heretofore laid out from Prospect park, in the city of Brooklyn, toward Coney island, in the county of Kings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 80 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	W. A. Johnson	Ransom
Badger	Daggett	Keenan	Rich
Barkley	Daly	Kennaday	Roscoe
Beach	Decker	Kirk	Schenck
Beardsley	Ely	Krack	Schieffelin
Benedict	Farrar	Kshinka	Schuyler
Berry	Faulkner	Lawrence	Sherman
Bordwell	Fay	Lawson	Shiel
Bowen	Fish	Lillybridge	Speaker
Braman	Green	Lincoln	Stauf
Broas	Griffin	Mackin	Struble
Brown	Hammond	McAfee	G. Taylor
Burtis	Hanrahan	McGowan	Tewksbury
Calkins	Hauschel	McGroarty	Vosburgh
T. C. Campbell	Hepburn	Merwin	Waehner
T. J. Campbell	Hess	Oakley	Wellington
Clark	Hogan	Page	Wenzel

Cleary
Cole
Cooke

Holmes
Hussey
Husted

Peck
Petty
Prince

West
Whitmore
Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act for the preservation of fish in the waters of the Genesee river, its branches or tributaries, in the county of Allegany," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	W. A. Johnson	Reilly
Badger	Costigan	Keenan	Roscoe
Barkley	Daly	Kennaday	Schenck
Beach	Decker	Kirk	Schieffelin
Beardsley	Dessar	Krack	Schuyler
Benedict	Ely	Kshinka	Scudder
Berry	Farrar	Lawrence	Seward
Bordwell	Faulkner	Lawson	Sherman
Bowen	Fay	Lewis	Sherwood
Braman	Fish	Lincoln	Shiel
Broas	Gallagher	Mackin	Speaker
Brown	Green	McAfee	Stauf
Burtis	Griffin	McGowan	Struble
Calkins	Hammond	McGroarty	Talmage
T. C. Campbell	Hanrahan	J. W. Miller	G. Taylor
T. J. Campbell	Hauschel	Oakley	Tewksbury
Clark	Hess	Page	Vosburgh
Cleary	Hogan	Peck	Wenzel
Coffey	Holmes	Petty	West
Cole	Hussey	Pierson	Worth
Comstock	Husted	Prince	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish,' so as to exempt Chautauqua lake from certain provisions of said act," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kennaday	Russell
Badger	Daly	Kirk	Schenck
Barkley	Decker	Krack	Schieffelin
Beach	Dessar	Kshinka	Schuyler
Beardsley	Ely	Lawrence	Scudder
Benedict	Farrar	Lawson	Seward
Berry	Faulkner	Lewis	Sherman
Bordwell	Fay	Lincoln	Sherwood
Bowen	Fish	Mackin	Shiel
Braman	Gallagher	McAfee	Speaker
Brogan	Green	McGowan	Stauf
Brown	Griffin	McGroarty	Struble
Burtis	Hammond	J. W. Miller	Talmage
Calkins	Hanrahan	Oakley	G. Taylor
T. C. Campbell	Hauschel	O'Keefe	Tewksbury
T. J. Campbell	Hess	Page	Vedder
Clark	Hinokley	Peck	Vosburgh
Cleary	Hogan	Petty	Waehner
Coffey	Holmes	Prince	Wenzel
Cole	Hussey	Ransom	West
Cooke	Husted	Rich	Whitmore
Costigan	W. A. Johnson	Roscoe	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize the acts of John E. Ashe, as notary public," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Roscoe
Badger	Daggett	Kirk	Sanford
Barkley	Daly	Krack	Schenck
Beach	Dessar	Kshinka	Schieffelin
Beardsley	Ely	Lawrence	Schuyler
Benedict	Farrar	Lawson	Seward
Bennett	Faulkner	Lewis	Shattuck
Berry	Fay	Lincoln	Sherman
Bishop	Fish	Mackin	Speaker
Bordwell	Gallagher	McAfee	Stauf
Braman	Green	McGowan	Struble
Broas	Griffin	McGroarty	Talmage
Brown	Hammond	J. W. Miller	G. Taylor
Burtis	Hanrahan	Oakley	W. F. Taylor

Calkins	Hauschel	O'Keefe	Tewksbury
T. C. Campbell	Hepburn	Page	Vedder
T. J. Campbell	Hess	Peck	Vosburgh
Clark	Hogan	Petty	Waehner
Cleary	Holmes	Pierson	Wellington
Coffey	Husted	Prince	Wenzel
Comstock	W. A. Johnson	Ransom	West
Cooke	Keenan	Rich	Worth

For the negative,

Sherwood

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the official acts of Milton J. Baker, as coroner of the county of Delaware," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Schenck
Badger	Decker	Krack	Schieffelin
Barkley	Dessar	Kshinka	Schuyler
Beach	Ely	Lawrence	Scudder
Beardsley	Farrar	Lawson	Seward
Benedict	Faulkner	Lillybridge	Sherman
Berry	Fay	Lincoln	Sherwood
Bishop	Fish	Mackin	Shiel
Bordwell	Gallagher	McAfee	Speaker
Bowen	Green	McGowan	Stauf
Broas	Griffin	McGroarty	Struble
Brown	Hammond	Merwin	Talmage
Burtis	Hanrahan	J. W. Miller	G. Taylor
Calkins	Hauschel	Oakley	W. F. Taylor
T. C. Campbell	Hess	O'Keefe	Tewksbury
T. J. Campbell	Hogan	Page	Vedder
Clark	Holmes	Peck	Vosburgh
Cleary	Hussey	Petty	Waehner
Coffey	Husted	Prince	Wellington
Comstock	W. A. Johnson	Ransom	Wenzel
Cooke	Keenan	Rich	West
Costigan	Kennaday	Sanford	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 497 of the Laws of 1869, entitled 'An act to establish a receiver of taxes and to authorize the sale of lands for non-payment of taxes, and for the collection of unpaid

taxes in the town of Flushing, Queens county,' and supplementary thereto," being announced for a third reading,

By unanimous consent, on motion of Mr. Prince, said bill was amended as follows:

Section 1, engrossed bill, line 15, strike out the word "each" and insert the words "not less than two." Same section, line 21, strike out the word "twenty-five" and insert the word "thirty."

Section 2, line 9, strike out the word "each" and insert the words "at least two." Add at end of section 2 the following: "If the amount mentioned in said notice and the expense of publication and the county treasurer's charges shall be paid to the county treasurer within the time limited by the said notice, the county treasurer shall deliver to the person making such payment a receipt therefor, and all further proceedings shall be discontinued."

Section 3, line 1, strike out the word "said" and insert the words "the county." Same section, line 8, strike out the word "two" and insert the word "one." Change the word "dollars" to "dollar." Line 12, strike out the word "two" and insert the word "one." Change the word "dollars" to "dollar," and insert after the word "dollar" the words "for such lease and the acknowledgment thereof." Add to the end of section 3 the words "and all parts of said act inconsistent herewith are hereby amended and modified so as to conform to the provisions of this section."

Change section 4 so as to read as follows:

"§ 4. The said receiver of taxes may appoint some proper person deputy receiver, who shall hold his office during the pleasure of the said receiver. Every appointment of a deputy receiver shall be in writing, under the hand of the receiver, and shall be filed in the office of the town clerk, and shall continue during the official term of the receiver making the appointment, unless sooner revoked by him. Every such deputy receiver, before he enters on the duties of his office, shall take and subscribe the oath required in the constitution, and such oath, duly certified by the officer administering the same, shall be filed in the town clerk's office, and the receiver may require of him a bond and sureties for the performance of his duties. He shall have the same power as the receiver to collect and receipt for the payment of taxes, but shall in the exercise of his power be subject to the direction and control of the receiver, and his compensation shall be paid by the receiver, and shall not be chargeable against the town. Any default or misfeasance in office of any such deputy receiver, shall be deemed to be a breach of the condition of the bond given by the receiver who appointed him."

Change section 5 so as to read as follows:

"§ 5. In case several contiguous lots or pieces of land having distinct numbers on the assessment map of the town, or on any farm map or other map filed in the county clerk's office, shall belong to or be owned by the same person or persons, it shall be lawful for the persons owning such contiguous lots to deliver to the town assessors, or any one of them, on or before the first day of June, in each year, a notice in writing, stating the map, numbers and location of the said contiguous lots, and that the same all belong to the same person or persons, and requesting the assessors to include all the said contiguous lots in one plot or parcel, and assess the same as one plot or parcel of land, and thereupon it shall be the duty of the said assessors to assess the same for that year as one plot or parcel, in accordance with the said notice."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Roscoe
Badger	Daly	Kirk	Russell
Barkley	Decker	Krack	Schenck
Beach	Dessar	Kshinka	Schieffelin
Beardsley	Ely	Lawrence	Scudder
Benedict	Farrar	Lawson	Seward
Berry	Faulkner	Lewis	Sherman
Bordwell	Fay	Lincoln	Sherwood
Bowen	Fish	Mackin	Speaker
Braman	Gallagher	McAfee	Stauf
Broas	Green	McGowan	Struble
Brown	Griffin	McGroarty	Talmage
Burtis	Hammond	J. W. Milier	G. Taylor
Calkins	Hanrahan	Oakley	W. F. Taylor
T. C. Campbell	Hauschel	O'Keefe	Vedder
T. J. Campbell	Hess	Page	Vosburgh
Clark	Hogan	Peck	Waehner
Cleary	Holmes	Petty	Wellington
Coffey	Husted	Pierson	Wenzel
Comstock	W. A. Johnson	Ransom	West
Cooke	Keenan	Rich	Wurts

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to prevent the taking of fish in or from the waters of Tonawanda creek, so called, and its branches, in the counties of Wyoming and Genesee," being announced for a third reading,

On motion of Mr. Tewksbury, and by unanimous consent, said bill was amended as follows:

Section 1, line 8, engrossed bill, strike out the word "counties" and insert the word "county." Line 9, strike out the words "and Genesee."

Amend the title by changing the word "county" to "counties," and by striking out the words "and Genesee."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kirk	Scheiffelin
Badger	Daly	Krack	Schuyler

Barkley	Decker	Kshinka	Scudder
Beach	Ely	Lawrence	Seward
Beardsley	Farrar	Lawson	Sherman
Benedict	Faulkner	Lincoln	Sherwood
Berry	Fay	Mackin	Shiel
Bordwell	Fish	McAfee	Speaker
Bowen	Gallagher	McGowan	Stauf
Braman	Green	McGroarty	Struble
Brogan	Griffin	Merwin	Talmage
Brown	Hammond	J. W. Miller	G. Taylor
Burtis	Hanrahan	Oakley	W. F. Taylor
Calkins	Hanschel	O'Keefe	Tewksbury
T. C. Campbell	Hess	Peck	Vedder
T. J. Campbell	Hogan	Petty	Vosburgh
Clark	Holmes	Pierson	Wahner
Cleary	Hussey	Prince	Wellington
Coffey	Husted	Ransom	Wenzel
Comstock	W. A. Johnson	Rich	West
Cooke	Keenan	Sanford	Worth
Costigan	Kennaday	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 345 of the Laws of 1874, entitled 'An act in regard to publishing the account of incorporated villages in this State,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Krack	Schenck
Badger	Decker	Kshinka	Schieffelin
Barkley	Dessar	Lawson	Schuyler
Beach	Ely	Lewis	Scudder
Beardsley	Farrar	Lillybridge	Seward
Benedict	Faulkner	Lincoln	Sherman
Bennett	Fay	Mackin	Sherwood
Berry	Fish	McAfee	Shiel
Bordwell	Gallagher	McGowan	Smith
Braman	Green	McGroarty	Speaker
Brogan	Griffin	J. W. Miller	Stauf
Brown	Hammond	Oakley	Struble
Burtis	Hanrahan	O'Keefe	Talmage
Calkins	Hanschel	Page	G. Taylor
T. C. Campbell	Hess	Peck	Tewksbury
T. J. Campbell	Hogan	Petty	Tremain
Clark	Holmes	Pierson	Vosburgh
Cleary	Husted	Prince	Wahner
Coffey	W. A. Johnson	Ransom	Wellington

Comstock	Keenan	Rich	Wenzel
Cooke	Kennaday	Russell	West
Costigan	Kirk	Sanford	Worth
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 387 of the Laws of 1872, entitled 'An act to supply the city of Rochester with pure and wholesome water,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 85 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Schenck
Badger	Dessar	Krack	Schieffelin
Barkley	Ely	Kshinka	Schuyler
Beach	Farrar	Lawrence	Scudder
Benedict	Faulkner	Lewis	Seward
Bennett	Fay	Lincoln	Sherman
Berry	Fish	Mackin	Sherwood
Bishop	Gallagher	McAfee	Shiel
Braman	Gedney	McGowan	Speaker
Brogan	Griffin	McGroarty	Stauf
Brown	Hammond	J. W. Miller	Struble
Burtis	Hanrahan	Oakley	Talmage
Calkins	Hauschel	O'Keefe	G. Taylor
T. C. Campbell	Hess	Page	W. F. Taylor
T. J. Campbell	Hogan	Petty	Vedder
Clark	Holmes	Pierson	Vosburgh
Cleary	Hussey	Ransom	Waehner
Cole	Husted	Rich	Wellington
Comstock	W. A. Johnson	Roscoe	Wenzel
Cooke	Keenan	Russell	West
Costigan	Kennaday	Sanford	Worth
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Leave of absence was granted to Mr. Waehner until to-morrow.

The bill entitled "An act to enable the city of Brooklyn to build piers for the accommodation of steamboat travel and other commercial purposes," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 86 }
{ NOES 2 }

Those who voted in the affirmative, were

Alvord	Decker	Lawson	Seward
Badger	Dessar	Lewis	Shattuck
Barkley	Ely	Lillybridge	Sherman
Bearasley	Farrar	Lincoln	Sherwood
Benedict	Faulkner	Mackin	Smith
Bennett	Fay	McAfee	Speaker
Berry	Gallagher	McGroarty	Stacy
Bishop	Green	Merwin	Stephens
Bordwell	Griffin	J. W. Miller	Talmage
Braman	Hammond	Oakley	G. Taylor
Brown	Hanrahan	O'Keefe	W. F. Taylor
Burtis	Hauschel	Page	Tewksbury
Calkins	Hess	Pierson	Tremain
T. C. Campbell	Holmes	Prince	Vedder
T. J. Campbell	Hussey	Reilly	Vosburgh
Cleary	W. A. Johnson	Roscoe	Wellington
Coffey	Keenan	Sanford	Wenzel
Cole	Kennaday	Schenck	West
Comstock	Kirk	Schieffelin	Whitmore
Costigan	Krack	Schuyler	Willis
Daggett	Kshinka	Scudder	Worth
Daly	Law		

Those who voted in the negative, were

McGowan Waehner

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

On motion of Mr. Bennett, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to amend chapter 321 of the Laws of 1873, entitled 'An act to amend an act entitled An act to incorporate the Eighth Ward Savings Bank of the city of New York, passed March 22, 1871, and to change its name to Fifth Avenue Savings Bank,' passed April 29, 1873," and the same ordered engrossed and to a third reading.

The bill entitled "An act to amend chapter 290 of Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Schieffelin
Badger	Dessar	Krack	Schuyler
Barkley	Ely	Kshinka,	Scudder

Beach	Farrar	Lawrence	Seward
Beardsley	Faulkner	Lawson	Shattuck
Benedict	Fay	Lincoln	Sherman
Berry	Fish	Mackin	Sherwood
Bishop	Gallagher	McAfee	Shiel
Bordwell	Green	McGowan	Speaker
Braman	Griffin	McGroarty	Stauf
Brogan	Hammond	Merwin	Stephens
Brown	Hanrahan	J. W. Miller	Struble
Burtis	Hauschel	Oakley	Talmage
Calkins	Hess	Page	G. Taylor
T. C. Campbell	Hogan	Peck	W. F. Taylor
T. J. Campbell	Holmes	Petty	Tewksbury
Clark	Houghton	Prince	Vosburgh
Cleary	Husted	Ransom	Waehner
Coffey	W. Johnson	Reilly	Wellington
Costigan	W. A. Johnson	Roscoe	Wenzel
Daggett	Keenan	Russell	West
Daly	Kennaday	Schenck	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to supply the city of Binghamton with pure and wholesome water,' passed April 25, 1867, and the acts amendatory thereof," being announced for a third reading,

On motion of Mr. Prince, and by unanimous consent, the title of said bill was amended by striking out the words "to amend an act" and inserting in lieu thereof the words "supplementary to chapter 780 of the Laws of 1867," also by striking out the words "passed April 25, 1867."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Krack	Schenck
Badger	Decker	Kshinka	Schieffelin
Barkley	Dessar	Lawrence	Schuyler
Beach	Ely	Lawson	Scudder
Beardsley	Farrar	Lewis	Seward
Benedict	Faulkner	Lincoln	Shattuck
Bennett	Fay	Mackin	Sherman
Berry	Fish	McAfee	Sherwood
Bishop	Gallagher	McGowan	Shiel
Braman	Green	McGroarty	Smith
Brogan	Griffin	J. W. Miller	Stauf
Brown	Hammond	Oakley	Stephens
Burtis	Hanrahan	O'Keefe	Struble

Calkins	Hauschel	Page	Talmage
T. C. Campbell	Hess	Peck	G. Taylor
T. J. Campbell	Hogan	Petty	Tewksbury
Clark	Holmes	Pierson	Vosburgh
Cleary	Husted	Prince	Waehner
Coffey	W. A. Johnson	Ransom	Wellington
Cooke	Keenan	Roscoe	Wenzel
Costigan	Kennaday	Russell	West
Daggett	Kirk	Sanford	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Talmage, from the committee on engrossed bills, reported as correctly engrossed the bills entitled as follows:

"An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company.'"

"An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors."

"An act to extend the time for the completion of the act to authorize the construction of a railroad from, at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer."

"An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings.'"

"An act to amend chapter 569 of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seamen's Retreat on Staten Island.'"

"An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county."

"An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870, in reference to acquiring title to real estate for burial purposes.'"

"An act in relation to habitual drunkards, vagrants and prostitutes in the city of Buffalo."

"An act in relation to parsonages in certain cases."

"An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie Railroad by the New York and New England Railroad Company.'"

"An act to provide for the payment of services rendered in the opening and laying out of streets, avenues and public places in the city of New York."

"An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851."

"An act to legalize the acts of Charles D. Barrows as notary public."

"An act to release to Maria Allen the right, title and interest of the people of the State of New York in and to certain real estate in the city of Brooklyn."

"An act to repeal chapter 346 of the Laws of 1870, entitled 'An act authorizing the election of a police justice in the village of Tonawanda.'"

"An act to amend chapter 252 of the Laws of 1874, entitled 'An act to provide for supplying the village of Owego, in the county of Tioga, with water.'"

"An act to amend chapter 721 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.'"

"An act to confirm the title of certain lands situate in the city of Newburgh to the grantees and heirs-at-law of Francis Wilson, alien, late of said city, deceased."

"An act to amend an act entitled 'An act to authorize the selection and location of certain grounds for public parks in the city of Buffalo, and to provide for the maintenance and embellishment thereof.'"

"An act for the division of the town of Fishkill, in the county of Dutchess, and for the erection of a new town from the northern portion thereof, and for the apportionment of the real and personal property of said town, and of the debts thereof."

"An act to provide for the payment of jurors in protracted trials."

"An act to provide for the election of a police constable in the village of McGrawville, Cortland county."

"An act to enable the town of Queensbury, in the county of Warren, to use certain moneys now in the hands of the supervisor of said town, for the construction of an iron bridge across the Hudson river, at Glens Falls, in said town."

"An act to legalize the action of the village of Whitehall in acquiring title to certain lands, and erecting a building thereon, and authorizing the issuing of bonds of said village for the payment of the debt incurred in such erection."

"An act for the relief of the Cypress Hills Cemetery."

"An act for the relief of Ferdinand S. Hahn."

"An act to amend section 10 of chapter 623 of the Laws of 1874, entitled 'An act to amend an act entitled An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario.'"

"An act to amend chapter 729 of the Laws of 1871, entitled 'An act authorizing the board of supervisors of the county of Essex to levy and assess certain taxes on certain lands in the town of Minerva, in said county.'"

The bill entitled "An act to further amend chapter 448 of the Laws of 1863, entitled 'An act to incorporate the Society for the Protection of Destitute Roman Catholic Children in the city of New York,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord
Barkley,

Daggett
Daly

Law
Lawson

Scudder
Seward

Barrow	Dessar	Lewis	Shattuck
Beach	Ely	Lincoln	Sherman
Beardsley	Farrar	Mackin	Sherwood
Benedict	Faulkner	McGowan	Shiel
Bennett	Fay	Merwin	Smith
Berry	Fish	J. W. Miller	Speaker
Bishop	Gallagher	Oakley	Stacy
Braman	Green	O'Keefe	Stephens
Brown	Hanrahan	Page	Struble
Burtis	Hauschel	Petty	G. Taylor
Calkins	Hess	Prince	Vedder
T. C. Campbell	Holmes	Reilly	Vosburgh
T. J. Campbell	Hussey	Rich	Wellington
Clark	Husted	Roscoe	Wenzel
Cleary	W. Johnson	Schenck	Whitmore
Cole	Kennaday	Schieffelin	Willis
Costigan	Kshinka	Schuyler	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing that they had agreed to the report of the committee of conference, in the words following:

The committee of conference appointed by the Senate and Assembly, to which was referred the matters in difference between the two Houses relative to the Assembly bill entitled "An act to amend an act to reorganize the local government of the city of New York, passed April 30, 1873," having met and duly considered the same, have agreed to recommend that the amendments proposed by the Senate be agreed to, with the following modifications: Instead of the words "concurrent vote," in the Senate amendment to the fourteenth line, strike out the word "concurrent" and insert the word "majority," and strike out the word "three" and insert the words "two and one-half."

JACOB A. GROSS,
W. WAGNER,
Senate Committee.

JAMES DALY,
L. C. WAEHNER,
CHARLES REILLY,
Assembly Committee.

Mr. Speaker put the question whether the House would agree to said report, and it was determined in the affirmative.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Merwin	Sherman
Badger	Ely	J. W. Miller	Sherwood
Barkley	Farrar	Oakley	Shiel
Barrow	Fay	O'Keefe	Silverman
Beardsley	Fish	Page	Smith
Benedict	Gallagher	Peck	Speaker
Bennett	Green	Petty	Stephens
Berry	Hammond	Prince	Struble
Bordwell	Hanrahan	Reilly	Talmage

Braman	Hauschel	Rich	G. Taylor
Brown	Hess	Roscoe	Tewksbury
Burtis	Holmes	Russell	Vedder
Calkins	Husted	Sanford	Waehner
T. C. Campbell	Kennaday	Schenck	Wellington
T. J. Campbell	Lewis	Schieffelin	Wenzel
Clark	Lincoln	Schuyler	West
Costigan	Mackin	Scudder	Whitmore
Daggett	McGowan	Seward	Willis
Daly	McGroarty	Shattuck	Worth
Decker			

Ordered, That the Clerk return said bill to the Senate, with a message informing of agreement to the report of the committee of conference thereon.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bill entitled as follows:

"An act in relation to the erection of the court-house in the third judicial district of the city of New York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Bennett, said bill was ordered to a third reading.

By unanimous consent, Mr. Waehner introduced a bill entitled "An act to amend section 48 of chapter 335 of the Laws of 1873, entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Barrow introduced a bill entitled "An act relative to the International Trust Company of New York," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, on motion of Mr. Lincoln, said bill was ordered printed and to a third reading.

The bill entitled "An act providing that the bridge in the course of construction over the East river, between the cities of New York and Brooklyn, by the New York Bridge Company, shall be a public work of the cities of New York and Brooklyn, and for the dissolution of said company, and the completion and management of the said bridge by the said cities," being announced for a third reading,

On motion of Mr. Kennaday, and by unanimous consent, said bill was amended by striking out section 13, and changing section 14 to section 13.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Dessar	Lewis	Sanford
Badger	Ely	Lillybridge	Schenck
Bailey	Farrar	Lincoln	Schuyler

Beach	Faulkner	Mackin	Scudder
Beardsley	Fish	McAfee	Seward
Benedict	Gallagher	McGowan	Shattuck
Berry	Green	McGroarty	Sherman
Bishop	Griffin	Merwin	Sherwood
Bordwell	Hanrahan	J. W. Miller	Shiel
Brown	Hauschel	Oakley	Silverman
Burtis	Hess	O'Keefe	Stephens
Calkins	Holmes	Page	G. Taylor
T. C. Campbell	Hussey	Peck	W. F. Taylor
T. J. Campbell	W. Johnson	Petty	Vedder
Clark	W. A. Johnson	Prince	Vosburgh
Cleary	Kennaday	Ransom	Wellington
Cole	Kirk	Reilly	Wenzel
Costigan	Krack	Rich	Whitmore
Daggett	Law	Roscoe	Willis
Daly	Lawson	Russell	Worth
Decker			

For the negative,
Schieffelin

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 461 of the Laws of 1871, entitled 'An act to revise the charter of Long Island City,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Dessar	Krack	Sanford
Badger	Ely	Kshinka	Schenck
Barkley	Farrar	Lawrence	Schieffelin
Beach	Faulkner	Lawson	Schuyler
Beardsley	Fay	Lillybridge	Scudder
Benedict	Fish	Lincoln	Seward
Berry	Gallagher	Mackin	Shattuck
Bordwell	Green	McAfee	Sherman
Braman	Griffin	McGowan	Shiel
Brown	Hammond	McGroarty	Speaker
Burtis	Hanrahan	J. W. Miller	Stephens
Calkins	Hauschel	Oakley	Struble
T. C. Campbell	Hess	O'Keefe	Talmage
T. J. Campbell	Hogan	Page	G. Taylor
Clark	Holmes	Peck	W. F. Taylor
Cleary	Hussey	Petty	Vosburgh
Comstock	Husted	Pierson	Wellington
Costigan	W. A. Johnson	Ransom	Wenzel
Daggett	Kennaday	Rich	West
Daly	Kirk	Russell	Willis
Decker			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend chapter 585 of the Laws of 1874, entitled 'An act to incorporate the Brooklyn Elevated Silent Safety Railway for the purposes of providing rapid transit through the city of Brooklyn, Kings county, to Woodhaven, in the town of Jamaica, in the county of Queens, and the State of New York, and to provide for constructing and operating a railway therefor,' passed May 26, 1874." was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 66 }
{ NOES 4 }

Those who voted in the affirmative, were

Alvord	Daggett	Lillybridge	Souder
Badger	Daly	Mackin	Seward
Beardsley	Decker	McAfee	Sherman
Benedict	Dessar	McGroarty	Sherwood
Berry	Farrar	Merwin	Shiel
Bishop	Faulkner	J. W. Miller	Smith
Bordwell	Fay	Oakley	Stacy
Braman	Fish	Page	Stephens
Brown	Green	Peck	Talmage
Burtis	Hauschel	Petty	W. F. Taylor
Calkins	Hess	Prince	Tewksbury
T C. Campbell	Holmes	Roscoe	Tremain
T. J. Campbell	Hussey	Sanford	Wellington
Clark	Husted	Schenck	West
Cleary	W. Johnson	Schieffelin	Willis
Comstock	Kennaday	Schuyler	Worth
Cooke	Kirk		

Those who voted in the negative, were

Gallagher	Krack	Lawson	Ransom
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend an act entitled 'An act to regulate the size of apple, pear and potato barrels,' passed May 12, 1862," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof.

{ AYES 57 }
{ NOES 21 }

Those who voted in the affirmative, were

Badger	Daggett	Krack	Roscoe
Berry	Daly	Kshinka	Russell
Bishop	Decker	Law	Schuyler

Bordwell	Faulkner	Lawrence	Sherwood
Broas	Fay	Lawson	Shiel
Brown	Fish	Lewis	Smith
Burtis	Gallagher	Lincoln	Stephens
Calkins	Green	Mackin	Struble
T. C. Campbell	Griffin	McAfee	G. Taylor
T. J. Campbell	Hanrahan	McGowan	W. F. Taylor
Clark	Hauschel	Merwin	Wenzel
Cleary	Holmes	Page	West
Coffey	W. A. Johnson	Pierson	Whitmore
Comstock	Keenan	Reilly	Willis
Costigan			

Those who voted in the negative, were

Alvord	Peck	Schenck	Sherman
Beach	Petty	Schieffelin	Tewksbury
Beardsley	Prince	Souder	Tremain
Cooke	Ransom	Seward	Vedder
Lillybridge	Sanford	Shattuck	Wellington
J. W. Miller			

Mr. Comstock moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill entitled "An act to regulate the use of slips, wharves and piers in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 74 }
{ NOES 5 }

Those who voted in the affirmative were,

Alvord	Decker	Law	Schenck
Badger	Dessar	Lawrence	Schuyler
Barkley	Ely	Lewis	Scudder
Beach	Farrar	Lillybridge	Seward
Beardsley	Faulkner	Lincoln	Shattuck
Benedict	Fay	Mackin	Sherman
Berry	Fish	McAfee	Sherwood
Bishop	Green	McGowan	Shiel
Broas	Griffin	McGroarty	Speaker
Brown	Hauschel	Merwin	Stephens
Burtis	Hess	J. W. Miller	Struble
Calkins	Holmes	Oakley	G. Taylor
T. C. Campbell	Hussey	Page	Tewksbury
T. J. Campbell	Husted	Peck	Tremain
Clark	W. A. Johnson	Petty	Wenzel
Cleary	Keenan	Pierson	West
Comstock	Kirk	Prince	Whitmore
Cooke	Krack	Reilly	Willis
Daggett	Kshinka		

Those who voted in the negative, were

Bennett
Coffey

Costigan

Lawson

Ransom

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Bowen introduced a bill entitled "An act to repeal chapter 640 of the Laws of 1870, entitled 'An act authorizing the construction of a highway from Chateaugay Lake to Saranac and branches," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on roads and bridges.

By unanimous consent, Mr. Petty presented a petition of citizens of Suffolk, Queens and Kings counties, praying for an appropriation for the purpose of making a survey for a canal uniting New York bay with Peconic bay, through the Great South bay; which was read and referred to the committee on ways and means.

By unanimous consent, Mr. G. Taylor introduced a bill entitled "An act to release the interest of the people of the State of New York in the real estate of which Patrick Lynch, late of the city of Rochester, died seized," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on petitions of aliens.

Also, by unanimous consent, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Husted presented a petition of the members of the New York Produce Exchange, for reduction of tolls on canals; which was read and referred to the committee on canals.

By unanimous consent, Mr. Decker introduced a bill entitled "An act to further amend the charter of the village of Delhi," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

Also, presented a petition on the same subject; which was read and referred to the same committee.

By unanimous consent, Mr. Shiel introduced a bill entitled "An act to amend an act entitled 'An act to provide for the proper drainage of lands within the corporate limits of the city and county of New York,' passed April 19, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

Mr. Hammond, from the committee on ways and means, to which was referred the Senate bill, Int. No. 115, entitled "An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

Mr. Hammond, from the committee on ways and means, to which was referred the Senate bill, Int. No. 110, entitled "An act to make town one, range eight of the Holland Land Company survey, located in the town of South Valley, Cattaraugus county, a separate road district, and provide for a commissioner of highways for said district, and also to appropriate money to repair a bridge over the Allegany river, on the Indian reservation, in said town," reported in favor of the passage of the same, which report was agreed to, and said bill committed to the committee of the whole.

By unanimous consent, Mr. Stephens introduced a bill entitled "An act to amend an act entitled 'An act to amend and consolidate and re-enact an act entitled An act to incorporate the village of Edgewater, passed March 22, 1866,' and an act amending the same, passed April 22, 1867, and to extend the powers of the corporation, passed May, 5, 1870, and also the several acts amendatory thereof, passed June 8, 1872, and May 1, 1874," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of villages.

The hour of 2 o'clock having arrived, the House took a recess until 7½ o'clock P. M.

HALF-PAST SEVEN O'CLOCK.

The House again met.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to legalize the annual town meeting held at the Salem hotel, in the town of Salem, county of Washington, the election, resolutions and proceedings by said meeting, and all acts and proceedings in pursuance thereof."

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, requesting the concurrence of the Assembly to the bills entitled as follows:

"An act to amend an act entitled 'An act to incorporate the village of New Berlin, in Chenango county,' passed April 28, 1870," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Hammond, and by unanimous consent, said bill was ordered to a third reading.

"An act to amend an act entitled 'An act in relation to the Troy water-works,' passed March 9, 1855," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act to authorize the payment, in whole or in part, of the bonded indebtedness of any of the towns in this State created in aid of any railroad therein, and to prescribe the mode in which the people thereof shall determine the time and amount of such payment," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on ways and means.

"An act to amend an act entitled 'An act to provide a further supply of pure and wholesome water for the city of New York,' passed February 27, 1871; and also to amend an act to re-enact and amend the same, passed April 6, 1871," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act relative to expenditures by the departments, offices and branches of the local government of the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act in relation to regulating, grading and otherwise improving

streets, roads and avenues in the city of New York, and to limit the issue of stock and bonds in anticipation of the collection of assessments therefor, and in relation to opening streets, avenues, roads or public parks and places in the city of New York," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on affairs of cities.

"An act relative to claims and legal proceedings against the mayor, aldermen and commonalty of the city of New York," which was read the first time, and by unanimous consent was also read the second time and referred to the committee on affairs of cities.

The Senate returned the bill entitled "An act to conform the charters of all savings banks or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision, and for the administration of their affairs," with a message informing of concurrence in the passage of the same, with the following amendment:

Strike out all after the enacting clause, and insert as follows:

ARTICLE I.

OF INCORPORATION.

SECTION 1. Any number of persons not less than thirteen nor more than twenty-one may associate themselves together for the purpose of organizing a savings bank in accordance with the provisions of this act; but two-thirds of such number of persons shall reside in the county where the proposed bank shall be located.

§ 2. Such persons, under their hands and seals, shall execute a certificate in which shall be set forth—

1. The name assumed to distinguish such association and to be used in its dealings, which shall be in no material respect similar to the name of any other savings bank organized and doing business in the same or in an adjoining county.

2. The place where its business is to be transacted, designating the particular city, village or town, and, if any city, the ward in such city.

3. The name, residence (if in any city, the street and number), occupation and post-office address of each member of such association.

4. A declaration that each member of such association will accept the responsibilities and faithfully discharge the duties of a trustee in such institution, when authorized according to the provisions of this act.

§ 3. Such certificate shall be executed in duplicate, and be duly acknowledged before an officer of this State authorized to take the acknowledgment of conveyances of real estate for record, and shall, within sixty days after such acknowledgment, be filed, one copy in the office of the county clerk of the county wherein such savings bank is proposed to be located, and one copy in the office of the superintendent of the banking department of this State.

§ 4. A notice of intention to organize such savings bank shall be published at least once a week for four weeks previous to filing the certificate of association, as provided in the last preceding section, in at least one newspaper published in the city, village or town where such savings bank is proposed to be located; or, if there be no newspaper published in such village or town, then in some newspaper published in such county, which notice shall specify the names of the proposed corporators, the name of the proposed savings bank, and the location of the same, as set forth in the certificate of association; and if there is any

savings bank organized and doing business in such county, a copy of such notice shall also be sent to each such savings bank so organized and doing business at least fifteen days before the filing of such certificate of association as provided for in the last preceding section.

§ 5. Upon the receipt of any such certificate of association at the office of the Superintendent of the Banking Department, if the same is in due form and duly executed according to the provisions of sections two and three of this act, and is accompanied by evidence satisfactory to the Superintendent of the proper publication and service, in good faith, of the notice required in the last preceding section, he shall forthwith indorse the same over his official signature "filed for examination," with the date of such indorsement.

§ 6. If such certificate shall not be in form and substance as required by section two of this act, or shall not be duly and properly acknowledged, as required by section three of this act, or shall not be accompanied by evidence satisfactory to the Superintendent of the publication and service in good faith, according to the intent and purpose of this act, of the notice required by section four of this act, the Superintendent shall refuse to file such certificate until the same shall be amended in such form as he shall direct, or until satisfactory evidence of the publication and service of such notice shall be furnished to him.

§ 7. It shall be the duty of the Superintendent of the Banking Department, and he shall have power, in regard to any certificate of association so filed by him as hereinbefore provided, to ascertain from the best sources of information at his command:

1. Whether greater convenience of access to a savings bank will be afforded to any considerable number of depositors by opening a savings bank at the place designated in such certificate.

2. Whether the density of the population in the neighborhood designated for such savings bank, and in the surrounding country, affords a reasonable promise of adequate support to the enterprise.

3. Whether the responsibility, character and general fitness for the discharge of the duties appertaining to such a trust, of the persons named in such certificate, are such as to command the confidence of the community in which such savings bank is proposed to be located, in an institution organized and conducted under such auspices, and report the result of his information in those respects to the Legislature.

§ 8. Any savings bank hereafter incorporated that shall not organize and commence business within one year after its incorporation, shall forfeit its rights and privileges as a corporation under this act; and no savings bank shall hereafter be incorporated until the Superintendent shall have made to the Legislature his report in respect thereto, as required by the provisions of this act.

ARTICLE II.

OF ORGANIZATION AND CORPORATE POWERS.

§ 9. Vacancies occurring in the office of trustee of any savings bank shall be filled by the board of trustees by ballot, and a majority of the legal number of trustees shall be necessary to a choice. In case of failure to fill any vacancy for six months after the same shall occur, upon the application in writing of any two trustees, the Superintendent of the Bank Department may appoint some proper and discreet person to fill such vacancy until the same shall be filled by an election, as herein provided.

§ 10. The trustees of any savings bank shall elect from their number a president and one or more vice-presidents, and may also choose from their number, or otherwise, such other officers as they may deem expedient, and the term for which any officer shall be elected shall not exceed one year, but shall continue until another is elected in his place.

§ 11. The board of trustees of any savings bank shall have power, from time to time, to make such by-laws, rules and regulations as they may think proper, for the election of officers, for prescribing their respective powers and duties, and the manner of discharging the same; for the appointment and duties of committees, and generally for transacting, managing and directing the affairs of the corporation; provided such by-laws, rules and regulations are not repugnant to nor inconsistent with the provisions of this act, to the Constitution and laws of this State, or of the United States; and a copy of the same shall be transmitted to the Superintendent of the Bank Department, who shall also be notified of any amendment or change therein.

§ 12. A majority of the full board of trustees shall be necessary to constitute a quorum for the transaction of business.

§ 13. It shall be lawful for the trustees of any savings bank, by a resolution to be incorporated in their by-laws, to reduce the number of the trustees as provided in their charter, to a number not less than the minimum prescribed by this act, and thereafter, as vacancies occur, the same shall not be filled until the number is reduced to such minimum, or to such other number as the board in such resolution shall designate, but not less than such minimum; and a copy of such resolution shall be transmitted to the Superintendent of the Banking Department for his information.

§ 14. Regular meetings of the board of trustees of any savings bank shall be held as often as once in two months, and they may prescribe in their by-laws for more frequent regular meetings, and for the calling of special meetings.

§ 15. Whenever a trustee of any savings bank shall hereafter become a trustee, officer, clerk or employee in any other savings bank, or upon his borrowing, directly or indirectly, any of the funds of the savings banks of which he is trustee, or becoming a surety or guarantor for any money borrowed of or loan made by such savings bank, or upon his failure to attend the regular meetings of the board, or to perform any of the duties devolved upon him as such trustee for six successive months, without having been previously excused by the board for such failure, the office of such trustee shall thereupon immediately become vacant; but the trustee vacating his office by failure to attend meetings or to discharge his duties, may, in the discretion of the board, be eligible to a re-election.

§ 16. The trustees of any savings bank shall have power to require, from the officers, clerks and agents of the corporation, such security for their fidelity and the faithful performance of their duties as they shall deem necessary, and to fix the salaries of such officers and agents, subject to the provisions of this act.

§ 17. No trustee of any savings bank shall, directly or indirectly, receive for his services, or otherwise, any pay or emolument, except as hereinafter provided; and no trustee, officer or servant of any savings bank shall, directly or indirectly, for himself, or as the partner or agent of others, borrow any of the funds of such savings bank, or its deposits, or in any manner use the same, except to pay necessary expenses, or to

make investments, or to deposit for safety, as directed by the board of trustees; nor shall any trustee, officer or servant of any savings bank be an indorser or surety for loans from said bank to others, nor in any manner be an obligor for moneys borrowed of or loaned by such savings bank. Nor shall the same person hereafter hold the office of trustee in more than one savings bank.

ARTICLE III.

OF DEPOSITS AND DEPOSITORS.

§ 18. It shall be lawful for any savings bank to receive on deposit any sum or sums of money that may be offered for that purpose by any person or persons, or by any corporations or societies, and to invest the same, and declare, credit and pay dividends thereon, as hereinafter authorized and provided, and not otherwise.

§ 19: The sums so deposited, together with any dividends or interest credited thereto, shall be repaid to such depositors respectively, or to their legal representatives, after demand, in such manner and at such times and after such previous notice and under such regulations as the board of trustees shall prescribe, which regulations shall be put up in some conspicuous place in the room where the business of such corporation shall be transacted, and shall be printed in the pass-books or other evidence of deposit furnished by the corporation, and shall be evidence between the corporation and the depositors holding the same, of the terms upon which the deposits therein acknowledged are made; provided that every such corporation shall have the right to limit the aggregate amount which any one person or society may deposit to such sum as they may deem it expedient to receive, and may, in their discretion, refuse to receive a deposit, and may also at any time return all or any part of any deposit; nor shall the the aggregate amount of such deposits to the credit of any one individual or corporation at any time exceed five thousand dollars exclusive of accumulation of interest, unless such deposit was made prior to the passage of this act, or pursuant to the order of a court of record, or surrogate.

§ 20. Whenever any deposit shall be made in any savings bank by any person being an alien, or minor, or a female, being or thereafter becoming a married woman, the same shall be held for the exclusive right and benefit of such depositor, and free from the control or lien of all persons whatsoever, except creditors, and shall be repaid, together with the interest or dividends thereon, to the person making the deposit, and the receipt or acquittance of such alien, minor, or female, shall be a valid and sufficient release and discharge for such deposit to the corporation.

§ 21. In all actions in any court of this State against any savings bank by a husband to recover for moneys deposited by his wife in her own name, or as her own money, the wife may be examined and testify as a witness in like manner as if she were an unmarried woman. And in all actions against any savings bank to recover for moneys in deposit therewith, if there be any person or persons, whether husband or wife, or otherwise, claiming the same fund, who are not parties to the action, the court in which such action is pending may, on the petition of such savings bank, and upon eight days' notice to the plaintiff and such claimants, make an order amending the proceedings in said action by making such claimants parties defendant thereto; and the said court shall thereupon proceed to hear and determine the rights and interests of the several parties to said action in and to said funds. The said

funds or deposits which are the subject of the said action, may remain with such savings bank, upon the same interest as other deposits of like amount, to the credit of the action, until final judgment therein, and the same shall be paid by such savings bank in accordance with the order of the court. The question of costs in the actions referred to in this section shall, in all cases, be in the discretion of the court, and may be charged upon the fund affected by such action; and the statutes limiting the time within which actions shall be commenced, shall have no application to actions brought by depositors, their representatives or assigns against savings banks for deposits made therein.

ARTICLE IV.

OF INVESTMENTS.

§ 22. It shall be lawful for the trustees of any savings bank to invest the moneys deposited therein only, as follows, to wit:

1st. In the stocks or bonds or interest bearing treasury notes of the United States, or such other bonds or securities to the payment of the principal and interest of which the faith of the United States is pledged.

2d. In the stocks or bonds bearing interest of this State.

3d. In the stocks or bonds of any county, city, village or town in this State, issued pursuant to the authority of any law of this State, but not exceeding ten per cent of the whole amount shall be so loaned or invested.

4th. In the stocks or bonds of the State of New York and States adjacent thereto, and in the States bordering on Lake Erie, Michigan or Superior, that has for five years immediately preceding such investment regularly paid the interest on its legal bonded debt in lawful money of the United States.

5th. In bonds and mortgages on improved, unincumbered, productive real estate, situate in this State, made to secure such investment, and payable to said bank, and worth at least twice the amount loaned thereon; but not to exceed sixty per cent of the whole amount of deposits shall be so loaned or invested.

6th. In real estate, subject to the provisions of sections thirty-one and thirty-two of this act.

§ 23. It shall be lawful for the trustees of any savings bank, while awaiting opportunity for the judicious investment of the funds deposited with them, to loan the money so deposited upon the security of the stocks mentioned in subdivisions one, two, three, four and five of the last preceding section, provided that not exceeding ninety per cent of the cash market value of such securities shall be loaned thereon; and the discretion hereby conferred shall always be subject to the inspection and control of the Superintendent of the Banking Department.

§ 24. Should the stocks or securities on which loans are made, pursuant to the provisions of the last preceding section, depreciate in value after making any loan thereon, it shall be the duty of the trustees to require the immediate repayment of such loan made by them thereon, or additional security therefor, so that the amount so loaned shall at no time exceed ninety per cent of the market value of such securities, and no loan shall be so made without a stipulation from the borrower that the same shall be subject to the conditions of repayment or of additional security required by this section.

§ 25. It shall be lawful for the trustee of any savings bank to keep

in reserve, to meet current payments, an available fund of not exceeding twenty per cent of the total amount of deposits in such savings bank, which they may keep on hand, on deposit, as hereafter provided, with or without interest, or loaned on call on the securities authorized for investment in subdivisions one, two, three, four and five of section twenty-two.

§ 26. It shall not be lawful for the trustees of any savings bank to loan the moneys deposited with them, or any part thereof, upon notes, bills of exchange, drafts, or any other personal securities whatever; and in all cases of loans upon real estate, a sufficient bond, secured by a mortgage thereon, shall be required of the borrower, and all the expenses of searches, examinations and certificates of title or appraisals of value, and of drawing, perfecting and recording papers, shall be paid by such borrower.

§ 27. Whenever buildings are included in the valuation of any real estate upon which a loan shall be made by any savings bank, they shall be insured by the mortgagor for at least two-thirds their value, or to an amount equal to the sum loaned, in such company or companies as the trustees shall direct, and the policy of insurance shall be duly assigned, or the loss arising thereunder made payable to the corporation making the loan, as its interest may appear; and it shall be lawful for such corporation to renew such insurance in the same or in any other company or companies, as they may elect, from year to year, or for a longer or shorter term, in case the mortgagor shall neglect to do so, and may charge the same to him. And all the necessary charges and expenses paid by any such corporation for such renewal or renewals shall be paid by such mortgagor to the said corporation, and shall be a lien upon the property so mortgaged until paid, and by the terms of the mortgage shall be secured thereby.

§ 28. It shall require a vote of a majority of all the trustees of a savings bank, or of a committee of not less than a majority of their number for that purpose, to authorize any loan upon the security of real estate, or upon any other securities authorized for investment by subdivisions one, two, three and four of sections twenty-two and twenty-three of this act, provided that no such loans shall be made on securities other than those provided for in sections twenty-two and twenty-three of this act.

§ 29. It shall be lawful for the trustees of any savings bank to keep the available fund hereinbefore provided for, or any part thereof, on deposit in any bank or banking association organized under any law or laws of this State, or of the United States, or in any trust company incorporated by the laws of this State, on interest at such rate, not exceeding seven per cent, as may agreed upon.

§ 30. The banks or trust companies in which the deposits from the available fund shall be kept, shall be designated by a vote of a majority of the trustees, exclusive of any who are at the time directors of any bank of discount, or trustees of any trust company in which the deposits of such savings bank are authorized by the provisions of the last preceding section to be kept; provided, however, that where a majority of such trustees are now directors of any such bank, or trustees of any such trust company, such depositories may be designated by the vote of a majority of such trustees, approved by the Superintendent of the Banking Department; and, provided further, that as vacancies occur in the office of trustee in such savings bank, the same shall be

filled from others than directors of any bank, or trustees of any trust company, until these shall not exceed one-third of the whole number of trustees in such savings bank; and in no savings bank hereafter to be organized shall the number of trustees who are directors of any bank or trustees of any trust company in this State, exceed one-third of the whole number of such trustees, and where they now exceed that proportion, vacancies occurring shall be filled from others than such directors or trustees.

§ 31. It shall be lawful for the trustees of any savings bank to purchase, hold and convey real estate as follows:

1. A lot and banking house requisite for the transaction of its business, and for an income from such portions of the same as are now required for its own use.

2. Such as shall have been purchased at sales upon judgments or decrees obtained or rendered for money loaned, or upon statute or other foreclosure of mortgages owned by the corporation.

§ 32. All such real estate as is described in the second subdivision of section thirty-one of this act shall be sold by the corporation holding the same, within five years after the same shall be vested in such corporation by purchase or otherwise; but the Superintendent of the Banking Department may, in his discretion, upon the application of any savings bank, extend the time within which such sale shall be effected, but not for a longer period than one year.

§ 33. It shall be unlawful for any savings bank, directly or indirectly, to deal or trade in real estate, in any other case or for any other purpose than authorized in section thirty-one of this act, or to deal or trade in any goods, wares, merchandise or commodities whatever, except as authorized by the terms of this act, and except such personal property as may be necessary in the transaction of its business; and it shall be unlawful for any savings bank, or for any officer in his regular attendance upon the business of such bank, to in any manner engage in the business in such bank of buying or selling exchange, gold or silver, or in the business of collecting commercial paper.

ARTICLE V.

OF SURPLUS.

§ 34. It shall be lawful for the trustees of any savings bank to reserve and to set aside, from the gross amount of gains or profits of the institution, a surplus fund to meet any contingency in its business, until such surplus shall be equal to ten per cent upon the amount of such deposits.

§ 35. In determining the per cent of surplus held by any savings bank, its interest-paying stock investments shall be estimated at their market value; its bonds and mortgages on which there are no arrears of interest for a longer period than six months shall be estimated at their face, and its real estate at its cost. Concerning such stock investments and such bonds and mortgages as are in arrears of interest for six months or more, and concerning any and all other investments or assets of whatever nature, the Superintendent of the Banking Department shall fix the valuation, or the basis of the valuation of the same, from the best information he can obtain concerning their present condition

and future prospects, and he may change such valuation or basis of valuation from time to time, according to the known or ascertained facts concerning them.

ARTICLE VI.

OF INTEREST AND DIVIDENDS.

§ 36. Each savings bank shall make up its accounts semi-annually, in each year at such time as the Superintendent of the Bank Department shall prescribe, and the respective amount of interest due each depositor shall be credited or paid to the depositors on or before the last day of the respective months so prescribed.

§ 37. It shall be unlawful for the trustees of any savings bank, or for any officers or agents thereof, to declare or pay any dividends, except from profits actually earned, after deducting therefrom the necessary expenses incurred in transacting the business of the corporation; but it shall be lawful for the trustees of any savings bank to advance from their private means the amount necessary to pay the current expenses of such savings bank, under a stipulation with the Superintendent of the Banking Department, and such amount shall be repaid with interest only when the same can be done without reducing the surplus of such savings bank below two per cent upon the deposits with the institution. And upon entering into such stipulation, with such sureties for its faithful performance as the Superintendent shall approve, it shall be lawful to declare the dividend from profits without deducting expenses therefrom.

§ 38. It shall be unlawful for the trustees of any savings bank to declare or allow interest on any deposit for a longer period than the same has been deposited, except that deposits made not later than the third day of any month, and withdrawn on one of the last three days of the month, may have interest declared upon them for the whole of the month when so deposited and withdrawn.

§ 39. It shall be lawful for the trustees of any savings bank to discriminate in the dividends declared or interest paid by them between the deposits of one thousand dollars and under, and the deposits of more than one thousand dollars, and between those deposits that have remained undiminished for one year and upward, and those that have had some portion withdrawn within one year preceding such dividend, or the payment of such interest, in such manner that deposits of the smaller amount, or remaining undiminished the longer time, shall receive a larger pro rata dividend or interest than the others.

§ 40. It shall be the duty of the trustees of any savings bank, after deducting the necessary expenses and a surplus fund, as provided for in section thirty-four of this act, to divide, as nearly as may be practicable, all the remaining profits ratably among the depositors, within the discretion conferred in the last preceding section; but such regular interest shall, in no case, exceed six per cent per annum.

§ 41. Any residue or profits remaining undivided after compliance with the provisions of the last preceding section shall, as often as once in three years, be divided among the depositors in such manner as the trustees shall direct.

ARTICLE VII.

OF REMOVAL OF TRUSTEES.

§ 42. The Superintendent of the Banking Department may at any time, by an order under his hand and seal, after notice of hearing, for due cause, to be set forth in such order, suspend any trustee from his office; and upon the application of two-thirds of the trustees of any savings bank, setting forth good and satisfactory reasons for such action in regard to any trustee, it shall be his duty to issue such order.

§ 43. Upon issuing any such order, a copy shall be transmitted to the savings bank of which the person so suspended is a trustee, and such order shall be entered in full upon the records of such savings bank, and notice thereof be given to such trustee, to whom, upon application, such original order shall be delivered.

§ 44. The Superintendent of the Banking Department shall also transmit a duplicate copy of such order to a justice of the supreme court of the judicial district within which such savings bank is located, by whom, after proper notice to such trustee, affording him an opportunity to be heard in his defense, such order may be vacated or confirmed, and the confirmation of such order shall be equivalent to an order for the removal of such trustee from office, and the term of office of such trustee shall thereupon terminate.

§ 45. Whenever it shall appear to the said Superintendent, from any examination made by him, or from the report of any examination made to him, or from the report made by any such corporation pursuant to the requirements of sections forty-seven to fifty-seven inclusive of article eight of this act, that any such corporation has committed any violation of its charter or of law, or is conducting its business and affairs in an unsafe or unauthorized manner, he shall, by an order under his hand and seal, direct the discontinuance of such illegal and unsafe or unauthorized practices, and strict conformity with the requirements of the law, and with safety and security in its transactions; and whenever any such corporation shall refuse or neglect to make any such report as is hereinbefore required, or to comply with any such order as aforesaid, or whenever it shall appear to the Superintendent that it is unsafe or inexpedient for any such corporation to continue to transact business, he shall communicate the facts to the Attorney-General, who shall thereupon institute such proceedings as the nature of the case may require.

§ 46. Where the facts communicated to the Attorney-General as aforesaid point to a condition of insolvency, the proceedings instituted by that officer shall be such as are now or may hereafter be provided for by the laws in the case of insolvent corporations. But where the facts so communicated relate to matters that do not disclose such condition of insolvency, the proceedings instituted by the Attorney-General shall be for the removal of one or more of the trustees, or for the transfer of the corporate powers to other persons, or the consolidation and merger of the corporation with any other savings corporation that may be willing to accept of the trust, and shall be approved by such Superintendent, or for such other or further relief or correction as the particular facts communicated to him shall seem to require. And the court before whom such proceedings shall be instituted shall have power to grant such orders, and to its discretion, from time to time, to modify or revoke the same, as the evidence in the case and the situation of the parties and the interests involved shall seem to require.

ARTICLE VIII.

OF REPORTS AND SUPERVISION.

§ 47. Every savings bank shall, on or before the first day of February and August in each year, make a report in writing to the Superintendent of the Banking Department, in such form as he shall prescribe, of its condition on the first day of January preceding.

§ 48. Such report shall state the total amounts of assets of every kind, the amount loaned on bond and mortgage, and the rate of interest, the cost, par value, estimated market value, and rate of interest of all stock investments, designating each particular kind of stock; any stock investments, the interest on which is in arrears for three months or upward, with a particular account of the same; also, any bonds and mortgages, the interest on which is in arrears for three months or upward; the amount loaned upon the security of stock, with a description of all the stocks held as security for such loans, and the rate of interest on said loans, and separately any loans on which the interest is not regularly paid; the amount invested in real estate, its cost, estimated market value, and the yearly income derived from the same, the amount of cash on hand or on deposit in banks or trust companies, with the names of the banks or trust companies where deposited, the amount in each, and the rate of interest received on such deposit; and the highest amount so had on deposit in any bank or trust company during the year, and the name of such bank or trust company; also, the highest amount at any one time on deposit in all banks or trust companies, and the average monthly balances so had on deposit in all banks and trust companies; and any other items of assets or resources owned or possessed by such savings bank on that day.

§ 49. Such report shall also state all the liabilities of the savings bank making the same, on the said first day of January, the amount due depositors, including the interest or dividend, if any, credited to them and unpaid, stating such interest or dividend as a separate item, and any other debts against or claims upon such savings bank, which may become a charge upon its assets. Such report shall also state the number of open accounts on said first day of January, the amount deposited and the amount withdrawn during the previous year, the whole amount of interest earned, and the amount of interest or dividends credited to depositors for the year preceding the date of such report, the number of new accounts opened and the number of accounts closed during the year, and any other facts or information which the Superintendent of the Banking Department shall require, and in such form as he shall prescribe.

§ 50. Such report shall be verified by the oath of the two principal officers of the institution, and the statement of assets shall be verified by the oath of one or more of the trustees who examined the same, pursuant to the requirements of section sixty of this act; and any willful false swearing in regard to such reports, or in regard to any reports made to the Superintendent of the Banking Department pursuant to the provisions of this act, shall be deemed perjury, and be subject to the prosecutions and punishments prescribed by law for that offense.

§ 51. Each savings bank shall, on or before the first day of August next, make a full and detailed report to the Superintendent of the Banking Department of its condition on the first day of July preceding, in form and manner as required by section forty-eight of this act, and by

so much of section forty-nine as requires a statement of its liabilities; which report shall be in such form as the Superintendent of the Banking Department shall prescribe; and, in addition to what is above required, shall state the principal sum of each and every bond and mortgage held by such savings bank, the town or city and the county in which the mortgaged premises are situate, and the rate of interest of each such bond and mortgage, and any other facts that may more clearly reveal its true condition on the first of July then preceding, and that the Superintendent shall require; and such report shall be verified in the manner required in the last preceding section; and this report shall also state the name, residence and occupation of each trustee of such saving bank on the first day of July then preceding.

§ 52. After the report required by section fifty-one to be made for the first day of July next, the annual reports thereafter to be made for the first day of January in each year, as required by sections forty-eight and forty-nine of this act, shall state, concerning mortgages, only such as have been paid wholly or in part, and how much has been so paid since the date of the last report, or have been foreclosed, or such new bonds and mortgages as have been taken for investment since the date of such last report. And no savings bank shall hereafter be required to make any annual or other report to the Legislature, nor to the mayor and commonalty of any city, nor to the board of supervisors of any county, nor to any other authority whatsoever, except as in this act provided—any provisions in the charter of any savings bank to the contrary notwithstanding; nor shall they be subject to the inspection or supervision of any local officer or authority, nor to any interference from any such local officer or authority in matters pertaining to their business or dealings.

§ 53. After the name and residence of the trustees of each savings bank shall have been reported to the Superintendent of the Banking Department, as required by section fifty-one of this act, it shall be the duty of the secretary of any savings bank to give notice at once to the Superintendent of the occurrence of any vacancy, and of the manner in which the same was occasioned; and also of the filling of the same, when it occurs, and the name, residence and occupation of such new trustee.

§ 54. If any savings bank shall fail to furnish to the Superintendent of the Banking Department any report or statement required by this act, at the time so required, it shall forfeit the sum of one hundred dollars per day for every day such report or statement shall be so delayed or withheld; and the said Superintendent may maintain an action in his name of office to recover such penalty, and when collected the same shall be paid into the treasury of the State, and be applied to the expenses of the Bank Department; but the Superintendent may, for sufficient cause, extend the time for making such report not exceeding thirty days.

§ 55. It shall be the duty of the Superintendent of the Banking Department, on or before the first day of March, each year, to communicate to the Legislature a statement of the condition of every savings bank from which a report has been received for the preceding year, and to suggest any amendments to the laws relating to savings banks which, in his judgment, may be expedient or necessary to increase the security of depositors, or impart greater efficiency to the administration of the affairs of savings banks.

§ 56. It shall be the duty of the Superintendent of the Banking Department, as often as once in two years, himself, or by one or more competent persons, to be by him appointed, to visit and thoroughly examine the condition, working and affairs generally of each and every savings bank organized and doing business in this State, and he shall certify to the result of such examination, upon the records of each savings bank so examined; and to this end the books, papers, records and assets of every savings bank shall, at all times during the hours of business, be open for inspection and examination by the Superintendent, or such other persons as he may designate as his agents for that purpose; and such examination shall always be made without previous notice of the same being given. The Superintendent shall also have power, in like manner, to examine any such corporation whenever, in his judgment, its condition or management is such as to render an examination of its affairs necessary or expedient. The said Superintendent and every such examiner shall have power to administer an oath to any person whose testimony may be required on any such examination, and to compel the appearance and attendance of any such person for the purpose of such examination by summons, subpoena or attachment, in the manner now authorized in respect to the attendance of persons as witnesses in the courts of record of this State; and all books and papers which it may be deemed necessary to be examined by the Superintendent, or the examiner or examiners so appointed, shall be produced, and their production shall be compelled in like manner.

§ 57. It shall be the duty of the Superintendent of the Banking Department, and he shall have power:

To require of each savings bank strict conformity to the provisions of this act, or of any law in force in relation to savings banks.

To supervise the exercise of the discretion vested in trustees of savings banks by law, and see that the same is not abused to the injury or insecurity of depositors.

To supervise the change of investments by savings banks, so as to conform to the provisions of this act, in such manner as not to embarrass their operations, render their condition insecure, or expose them to sacrifice and loss upon their securities.

To examine, estimate and certify to the surplus fund of any savings bank upon the basis prescribed in section forty-five of this act, whenever under the provisions of this act such estimate shall be necessary.

And generally to exercise vigilant inspection over the affairs of savings banks, counsel and advise with the trustees and officers thereof, and in all suitable ways promote their efficiency, security and welfare.

§ 58. Each savings bank organized and doing business in this State shall pay five dollars toward defraying the expenses incurred by the Superintendent of the Banking Department in the performance of the duties imposed upon him by this act, and the residue of such expenses shall be paid by them in proportion to the amount of assets owned by them severally, and the sums thus contributed shall be paid into the treasury of the State; but when the deposits of any savings bank are less than one hundred thousand dollars, it shall be exempt from such contribution; and the expense of any special service done for or rendered to any savings bank, in examining its affairs or otherwise, shall be paid by the savings bank for which such service is done, in such sum as the Superintendent of the Banking Department shall certify to be just and reasonable; but whenever such examination shall be made by the Super-

intendent in person, or by one or more of the regular clerks in his department, no charge shall be made, except for traveling and other actual expenses.

§ 59. If any savings bank shall, after due notice, refuse or neglect for ten days to pay its proper share of charges so allotted, or such sum as the Superintendent shall certify to be just and reasonable, for any special service rendered on its behalf, then the said Superintendent may maintain an action in his name of office against such savings bank, for the recovery of such charges or sums so certified.

ARTICLE IX.

MISCELLANEOUS PROVISIONS.

§ 60. It shall be the duty of the trustees of every savings bank, by a committee of not less than three of such trustees, on or about the first day of January in each year, to thoroughly examine the books, vouchers and assets of such savings bank, and its affairs generally, and the statement or schedule of assets reported to the Superintendent of the Banking Department for the first of January in each year, shall be based upon such examination, and shall be verified by the oath of the trustees making such examination; but nothing herein contained shall be construed as prohibiting the trustees of any savings bank from requiring such examinations at such other times as they shall prescribe.

§ 61. It shall be lawful to pay trustees of a savings bank acting as officers of the same, whose duties require and receive their regular and faithful attendance at the institution, such compensation as in the opinion of a majority of the board of trustees shall be just and reasonable; but such majority shall be composed exclusive of any trustees to whom such compensation shall be voted, and the vote fixing or altering the compensation of any officer, who is also a trustee, shall be transmitted to the Superintendent of the Banking Department with the yeas and nays upon such vote for his information.

§ 62. All certificates or other evidences of deposit, made in pursuance of the regulations of any savings bank, shall be as binding upon the corporation issuing the same as if made under its common seal.

§ 63. The misnomer of any savings bank in any deed, gift, grant, contract, conveyance or other instrument, shall not vitiate or impair the same, if the corporation be sufficiently described therein to ascertain the intention of the parties.

§ 64. It shall not be lawful for any bank of discount or deposit, banking association, or individual or private banker, to advertise or put forth a sign as a savings bank, or in any way to solicit or receive deposits as a savings bank; and any bank of discount or deposit, banking association or individual or private banker, that shall offend against the provisions of this section shall forfeit and pay for every such offense the sum of one hundred dollars, and a like sum for every day such advertisement shall be continued and such sign shall be kept up; and the Superintendent of the Banking Department may maintain an action in his name of office for the recovery of such penalties, and when collected the same shall be paid into the treasury of the State.

§ 65. All the assets of any bank or banking association now or hereafter to be created that shall become insolvent, shall, after providing for the payment of its circulating notes, be applied by the directors, assignee or receiver thereof, in the first place to the payment of any sum or sums

of money deposited with such bank or banking association by any savings bank, but not exceeding the amount authorized to be so deposited by section thirty-eight of this act, and the provisions of this section shall also extend and apply to trust companies authorized to receive deposits of savings banks under the provisions of this act.

§ 66. The term savings bank, as used in this act, shall include and be construed to mean and apply to all banks or institutions for savings, or savings banks or savings institutions, by whatever name known in this State; and the provisions, regulations, prohibitions and directions of this act shall also include and apply to every savings bank or institution for savings that now is or may hereafter be incorporated or organized in this State, and to their trustees, officers, servants and agents; and their respective charters are hereby so amended as to conform to this act, except that the provisions of section one to section nine, both inclusive, shall only apply to savings banks hereafter to be incorporated or organized.

§ 67. All acts or parts of acts inconsistent with this act, in so far as they conflict with the same, are hereby repealed.

§ 68. This act is hereby declared to be a public act, and shall be construed favorably for every beneficial purpose therein contained.

§ 69. This act shall take effect immediately.

The amendments having been read,

Mr. Schuyler moved that the Assembly non-concur in the same, and that a committee of conference be appointed thereon and request a like committee on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed as such committee Messrs. Schuyler, T. C. Campbell, Sherman, Alvord and Seward.

Ordered, That the Clerk return said bill to the Senate, with a message informing of non-concurrence in their amendments, and request a committee of conference thereon.

Mr. Badger, from the sub-committee of the whole, submitted a report in writing; which was laid on the table and ordered printed.

(See Doc. No. 132.)

The Senate bill entitled "An act to provide for a better system of records of the inmates of poor-houses and alms-houses," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 65 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kshinka	Schenck
Badger	Daly	Law	Schieffelin
Beach	Decker	Lawrence	Schuyler
Beardsley	Ely	Lawson	Scudder
Benedict	Fish	Mackin	Sherman
Bennett	Friend	McGowan	Sherwood
Berry	Gallagher	McGroarty	Silverman

Braman	Green	Merwin	Speaker
Brogan	Griffin	J. W. Miller	Stacy
Calkins	Hammond	Oakley	Stephens
T. C. Campbell	Hanrahan	O'Keefe	Talmage
T. J. Campbell	Hauschel	Page	W. F. Taylor
Clark	Holmes	Petty	Vosburgh
Coffey	Husted	Prince	Wellington
Comstock	Keenan	Reilly	Willis
Cooke	Kirk	Russell	Worth
Costigan			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to extend the time for the completion of the act to authorize the construction of a railroad from, at or near Bath ferry, in the town of North Greenbush, to Douw's Point, in the town of East Greenbush, in the county of Rensselaer," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 74 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Lawrence	Schnyler
Badger	Daggett	Lawson	Soudder
Beach	Daly	Mackin	Sherman
Beardsley	Decker	McGowan	Sherwood
Benedict	Ely	McGroarty	Shiel
Bennett	Fay	Merwin	Silverman
Berry	Fish	J. W. Miller	Slingerland
Bishop	Friend	Oakley	Smith
Bordwell	Gallagher	O'Keefe	Speaker
Braman	Green	Page	Stacy
Broas	Griffin	Peck	Stephens
Brogan	Hammond	Petty	Talmage
Calkins	Hanrahan	Ransom	G. Taylor
T. C. Campbell	Holmes	Reilly	W. F. Taylor
T. J. Campbell	Husted	Rich	Tremain
Clark	W. A. Johnson	Russell	Vosburgh
Coffey	Keenan	Schenck	Wenzel
Comstock	Kirk	Schieffelin	Willis
Cooke	Kshinka		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to the powers and jurisdiction of the superior court of Buffalo, and of the judges thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Lawson	Schieffelin
Badger	Ely	Lewis	Scudder
Beardsley	Fay	Mackin	Shattuck
Benedict	Fish	McAfee	Sherman
Bennett	Friend	McGowan	Sherwood
Berry	Gallagher	McGroarty	Silverman
Bishop	Green	Merwin	Smith
Bordwell	Griffin	J. W. Miller	Speaker
Braman	Hammond	Muller	Stacy
Broas	Hanrahan	Oakley	Talmage
Calkins	Hinckley	O'Keefe	G. Taylor
T. C. Campbell	Holmes	Peck	W. F. Taylor
T. J. Campbell	Hussey	Petty	Tewksbury
Clark	Husted	Prince	Tremain
Coffey	W. A. Johnson	Ransom	Vosburgh
Comstock	Keenan	Reilly	Wenzel
Cooke	Kirk	Russell	Whitmore
Costigan	Kshinka	Sanford	Willis
Daggett	Law	Schenck	Worth
Daly	Lawrence		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The Senate bill entitled "An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Lawrence	Schenck
Badger	Daggett	Lawson	Schuyler
Beach	Daly	Lincoln	Scudder
Beardsley	Decker	Mackin	Shattuck
Benedict	Ely	McAfee	Sherman
Bennett	Fish	McGowan	Sherwood
Berry	Friend	McGroarty	Shiel
Bishop	Gallagher	Merwin	Speaker
Bordwell	Green	J. W. Miller	Stacy
Braman	Griffin	Muller	Talmage
Broas	Hammond	Oakley	G. Taylor
Brogan	Hanrahan	O'Keefe	W. F. Taylor
Burtis	Hinckley	Page	Tewksbury
Calkins	Holmes	Peck	Tremain
T. C. Campbell	Hussey	Pope	Vosburgh

T. J. Campbell	Husted	Ransom	Wenzel
Clark	W. A. Johnson	Reilly	Whitmore
Coffey	Keenan	Rich	Willis
Comstock	Kirk	Russell	Worth
Cooke	Kshinka	Sanford	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to legalize the acts of James A. Wright, a justice of the peace in and for the county of Cayuga," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Lawson	Sanford
Beardsley	Daly	Lewis	Schieffelin
Benedict	Decker	Lincoln	Schuyler
Bennett	Ely	Mackin	Scudder
Berry	Fish	McAfee	Shattuck
Bishop	Friend	McGowan	Sherman
Bordwell	Gallagher	McGroarty	Sherwood
Braman	Green	Merwin	Shiel
Broas	Griffin	J. W. Miller	Speaker
Brogan	Hammond	Muller	Stacy
Burtis	Hanrahan	Oakley	Stauf
Calkins	Hinckley	O'Keefe	Stephens
T. C. Campbell	Holmes	Page	G. Taylor
T. J. Campbell	Hussey	Peck	W. F. Taylor
Clark	Husted	Petty	Tewksbury
Coffey	W. A. Johnson	Pierson	Tremain
Cole	Kirk	Pope	Vosburgh
Comstock	Kshinka	Reilly	Wenzel
Cooke	Law	Rich	Worth
Costigan	Lawrence	Russell	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to Riverside avenue and park in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Costigan	Lawson	Scudder
Badger	Decker	Lewis	Shattuck

Beach	Fay	Mackin	Sherman
Beardsley	Fish	McGowan	Sherwood
Benedict	Friend	McGroarty	Shiel
Bennett	Green	Merwin	Silverman
Berry	Griffin	J. W. Miller	Slingerland
Bishop	Hammond	Muller	Smith
Bordwell	Hanrahan	Oakley	Speaker
Braman	Hinckley	O'Keefe	Stacy
Broas	Hogan	Page	Stauf
Brogan	Holmes	Peck	Stephens
Burtis	Hussey	Petty	Talmage
Calkins	Husted	Pierson	G. Taylor
T. C. Campbell	W. A. Johnson	Ransom	Tewksbury
T. J. Campbell	Keenan	Reilly	Tremain
Clark	Kirk	Rich	Wenzel
Cole	Kshinka	Roscoe	Willis
Comstock	Lawrence	Schuyler	Worth
Cooke			

For the negative,

Ooffey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to legalize and confirm the vote of the electors of the town of Salamanca, Cattaraugus county, at the annual town meeting held on the 24th day of February, 1874, in relation to building a fence around the burying ground in the village of Salamanca, and to levy and collect a tax on said town to pay the expenses thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Lawson	Schuyler
Badger	Daly	Lewis	Scudder
Beach	Decker	Lincoln	Shattuck
Benedict	Ely	Mackin	Sherman
Bennett	Fish	McAfee	Sherwood
Berry	Friend	McGowan	Shiel
Bordwell	Gallagher	McGroarty	Silverman
Braman	Griffin	Merwin	Smith
Broas	Hammond	J. W. Miller	Speaker
Brogan	Hanrahan	Oakley	Stauf
Burtis	Hinckley	Page	Stephens
Calkins	Hogan	Peck	Talmage
T. C. Campbell	Holmes	Petty	G. Taylor
T. J. Campbell	Hussey	Pierson	W. F. Taylor
Clark	W. A. Johnson	Ransom	Tewksbury

Coffey	Keenan	Reilly	Tremain
Cole	Kirk	Roscoe	Wenzel
Comstock	Kshinka	Russell	Willis
Cooke	Lawrence	Sanford	Worth
Costigan			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act for the preservation of fish in Salmon river and Deer creek, in Oswego county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Lawrence	Schenok
Badger	Daly	Lawson	Schieffelin
Beach	Decker	Lewis	Schuyler
Beardsley	Ely	Lincoln	Scudder
Benedict	Fay	Mackin	Shattuck
Bennett	Fish	McAfee	Sherman
Berry	Friend	McGowan	Shiel
Bishop	Gallagher	McGroarty	Silverman
Bordwell	Green	Merwin	Slingerland
Braman	Griffin	J. W. Miller	Speaker
Calkins	Hammond	Oakley	Stacy
T. C. Campbell	Hanrahan	O'Keefe	Stephens
T. J. Campbell	Hinckley	Page	Talmage
Clark	Holmes	Péck	G. Taylor
Coffey	W. A. Johnson	Petty	W. F. Taylor
Cole	Keenan	Pierson	Tewksbury
Comstock	Kirk	Ransom	Wenzel
Cooke	Kshinka	Rich	Willis
Costigan	Law	Russell	Worth

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 809 of the Laws of 1872, entitled 'An act to authorize the construction of a sewer from the county buildings at Flatbush, in said county,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daly	Lewis	Scudder
Badger	Decker	Lincoln	Shattuck

Beach	Ely	Mackin	Sherman
Benedict	Fish	McGowan	Shiel
Bennett	Friend	McGroarty	Silverman
Berry	Gallagher	Merwin	Slingerland
Bishop	Green	J. W. Miller	Smith
Bordwell	Griffin	Muller	Speaker
Braman	Hammond	O'Keefe	Stacy
Broas	Hanrahan	Page	Stephens
Brogan	Hess	Petty	Talmage
Calkins	Hinckley	Pierson	G. Taylor
T. C. Campbell	Holmes	Ransom	W. F. Taylor
T. J. Campbell	Hussey	Reilly	Tewksbury
Clark	Husted	Rich	Tremain
Coffey	W. A. Johnson	Roscoe	Vosburgh
Cole	Keenan	Sanford	Wenzel
Comstock	Kirk	Schenck	Whitmore
Cooke	Law	Schieffelin	Willis
Costigan	Lawson	Schuyler	Worth
Daggett			

For the negative,

Burtis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to authorize the trustees of the village of Cooperstown to erect a building for the use of the fire department, trustees and other officers of said village, to purchase real estate on which to erect such building, and to borrow money for the purpose of purchasing such real estate and erecting such building," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Lawson	Schuyler
Badger	Daly	Lewis	Scudder
Beach	Decker	Lincoln	Shattuck
Beardsley	Ely	Mackin	Sherman
Benedict	Fay	McGowan	Shiel
Berry	Fish	McGroarty	Silverman
Bishop	Friend	Merwin	Smith
Bordwell	Gallagher	J. W. Miller	Speaker
Braman	Green	Oakley	Stacy
Broas	Griffin	O'Keefe	Stephens
Brown	Hanrahan	Page	Talmage
Burtis	Hess	Peck	G. Taylor
Calkins	Hinckley	Petty	W. F. Taylor
T. C. Campbell	Holmes	Pierson	Tewksbury

T. J. Campbell	Husted	Ransom	Tremain
Clark	W. A. Johnson	Reilly	Vosburgh
Coffey	Keenan	Rich	Wenzel
Cole	Kirk	Roscoe	Whitmore
Comstock	Kshinka	Russell	Willis
Cooke	Law	Sanford	Worth
Costigan	Lawrence	Schenck	

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to repeal chapter 20 of article 1, title 19 of part 1 of the Revised Statutes, concerning brokers," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 71 }
{ NOES 11 }

Those who voted in the affirmative, were

Alvord	Davis	Mackin	Shattuck
Beach	Decker	McAfee	Sherwood
Beardsley	Dessar	McGowan	Shiel
Benedict	Ely	McGroarty	Slingerland
Bennett	Friend	J. W. Miller	Smith
Berry	Gallagher	Muller	Stephens
Bordwell	Green	Oakley	Talmage
Braman	Griffin	O'Keefe	G. Taylor
Broas	Hanrahan	Page	W. F. Taylor
Burtis	Hess	Petty	Tewksbury
Calkins	Hinckley	Pierson	Tremain
T. C. Campbell	Husted	Ransom	Vosburgh
T. J. Campbell	W. A. Johnson	Reilly	Wellington
Clark	Kirk	Rich	Wenzel
Comstock	Lawrence	Sanford	Whitmore
Cooke	Lawson	Schieffelin	Willis
Costigan	Lewis	Schuyler	Worth
Daly	Lincoln	Scudder	

Those who voted in the negative, were

Fish	Merwin	Roscoe	Sherman
Holmes	Peck	Russell	Speaker
Keenan	Pope	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the town auditors of the towns of Southfield and Middletown, Richmond county, to audit certain claims," being announced for a third reading,

On motion of Mr. Stephens, and by unanimous consent, said bill was amended as follows:

After the word "peace," in line 7, engrossed bill, insert the words

" which have accrued since the abolishment of the office of police justice in the village of Edgewater, in said county."

After the word "law," in line 9, insert the words "and not to exceed the sum of three hundred dollars to any one justice in any one year."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Lawrence	Roscoe
Badger	Decker	Lewis	Russell
Beach	Dessar	Lincoln	Santford
Beardsley	Ely	Mackin	Schenck
Benedict	Fay	McAfee	Schuyler
Berry	Friend	McGowan	Scudder
Bishop	Gallagher	McGroarty	Shattuck
Bordwell	Green	Merwin	Shiel
Braman	Griffin	J. W. Miller	Smith
Broas	Hanrahan	Muller	Speaker
Burtis	Hess	Oakley	Stephens
Calkins	Hinckley	O'Keefe	Talmage
T. C. Campbell	Holmes	Page	G. Taylor
T. J. Campbell	Hussey	Peck	W. F. Taylor
Clark	Husted	Petty	Tewksbury
Cole	W. A. Johnson	Pierson	Vosburgh
Comstock	Keenan	Pope	Wenzel
Cooke	Kirk	Ransom	Willis
Costigan	Kshinka	Rich	Worth
Daggett	Law		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to confer on boards of supervisors further powers of local legislation and administration, and to regulate the compensation of supervisors," being announced for a third reading,

By unanimous consent, on motion of Mr. Sherman, said bill was amended as follows:

After the word "subdivision," in line 7, page 2, engrossed bill, strike out down to and including the word "issue" in line 15, and insert the following: "but in all cases where a proposed issue of county bonds shall, with the amount of bonds issued under any previous authority, and still outstanding, exceed the sum of one hundred thousand dollars, no additional issue shall be authorized unless by the assent of a majority of the electors of the county voting on the question at any annual election."

Section 2, engrossed bill, line 7, after the word "office" strike out the words "or in the division of towns," and insert the words "and every resolution proposing action under any previous law, wherein the assent of two-thirds of all the members of the board shall be required."

Insert in place of section 9 the following:

"§ 9. For the services of supervisors, except in the counties of New York and Kings, at the sessions of their respective boards, each supervisor shall receive from the county compensation at the rate of five dollars per day, including the whole day of twenty-four hours. Each supervisor shall also receive from the county for his services in making a copy of the assessment roll of his town or ward, including the extension of the tax list to be delivered to the collector or receiver of taxes, compensation at the rate of three cents for each written line for the first one hundred written lines on said roll and list; two cents per line as aforesaid for the second hundred written lines, and one cent per line as aforesaid for all written lines in excess of three hundred. He shall also receive mileage at the rate of eight cents per mile for once going and returning from his residence to the place where the sessions of the board shall be held, by the most usual route, for each regular or special session provided for by this act. No other compensation, fee, charge or allowance of any kind shall be made to any supervisor for his services, except such as shall be by law a town charge; and any supervisor who shall receive or vote for any allowance in violation of the provisions of this section, shall be deemed guilty of a misdemeanor, and shall, on conviction, pay for the use of the county such penalty as the court having cognizance of such offense shall adjudge, not exceeding the aggregate annual compensation of such supervisor. But nothing in this section shall forbid the payment to any supervisor of his actual expenses incurred in any investigation or other duty which may be lawfully committed to him by the board, and which shall require his attendance at any place away from where he shall reside, and five miles or more distant from the place where the board shall hold its sessions. And all provisions of law inconsistent with this section are hereby repealed.

"§ 10. This act shall take effect immediately."

Mr. Shattuck moved to further amend said bill as follows:

"To fix the compensation of each supervisor at three dollars per day, and giving to the board of supervisors power to increase the per diem to five dollars per day by a vote of two-thirds of all the members elected to said board."

Mr. Sherman moved as an amendment the following:

"In the county of Hamilton, \$75; in the counties of Allegany, Broome, Cortland, Chenango, Essex, Franklin, Fulton, Genesee, Greene, Lewis, Livingston, Montgomery, Orleans, Putnam, Richmond, Rockland, St. Lawrence, Schenectady, Schoharie, Schuyler, Seneca, Sullivan, Tioga, Tompkins, Warren, Wyoming, Yates, each \$100; in the counties of Cattaraugus, Cayuga, Chautauqua, Chemung, Clinton, Columbia, Delaware, Herkimer, Jefferson, Madison, Niagara, Ontario, Otsego, Saratoga, Steuben, Suffolk, Washington, Wayne, each \$150; in the counties of Orange, Oswego, Ulster, Dutchess, each \$200; in the counties of Oneida, Onondaga, Monroe, Queens, each \$250; in the counties of Albany, Erie, Rensselaer, Westchester, each \$350."

Mr. Speaker put the question whether the House would agree to said amendment of Mr. Sherman, and it was determined in the negative.

{ AYES 37 }
{ NOES 48 }

Those who voted in the affirmative, were

Beach	Coffey	Law	Schieffelin
Beardsley	Costigan	Lewis	Schuyler
Benedict	Daggett	McGowan	Scudder
Bennett	Daly	Merwin	Sherman
Braman	Hess	Muller	Shiel
Brogan	Hinckley	Page	W. F. Taylor
Burtis	Husted	Petty	Vosburgh
Calkins	Kirk	Ransom	Whitmore
T. C. Campbell	Kshinka	Reilly	Worth
Clark			

Those who voted in the negative, were

Alvord	Dessar	Mackin	Schenck
Badger	Ely	McAfee	Shattuck
Berry	Fay	J. W. Miller	Sherwood
Bishop	Friend	Oakley	Smith
Bordwell	Green	O'Keefe	Stacy
Broas	Griffin	Peck	Stephens
Brown	Hammond	Pierson	Talmage
T. J. Campbell	Holmes	Pope	G. Taylor
Comstock	W. A. Johnson	Rich	Tewksbury
Cooke	Keenan	Roscoe	Wellington
Davis	Lawrence	Russell	Wenzel
Decker	Lincoln	Sanford	Willis

Pending the call, Mr. Burtis asked to be excused from voting.

Mr. Speaker put the question whether the House would grant said request, and it was determined in the negative.

Mr. Braman moved to amend by adding thereto the words "except the county of Albany."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to amend by excepting the county of Onondaga.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Mr. T. C. Campbell moved to reconsider the vote by which the county of Albany was excepted from the provisions of this act.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Braman, and it was determined in the negative.

Mr. Speaker announced the question to be on the motion of Mr. Shattuck.

Mr. Sherman called for a division of the question.

Mr. Speaker put the question whether the House would agree to that portion of the proposition fixing salary at three dollars per day, and it was determined in the negative.

{ AYES 33 }
{ NOES 51 }

Those who voted in the affirmative, were

Beardsley	Ely	Mackin	Scudder
Benedict	Fish	McGowan	Shattuck
Bishop	Hammond	Peck	Sherman
Broas	Hinckley	Pierson	Sherwood
Brogan	Holmes	Rich	G. Taylor
Burtis	Hussey	Roscoe	Tewksbury
Cooke	W. A. Johnson	Sanford	Whitmore
Davis	Law	Schuyler	Willis
Decker			

Those who voted in the negative, were

Alvord	Costigan	Lawrence	Ransom
Badger	Daggett	Lawson	Schenck
Beach	Daly	Lewis	Schieffelin
Bennett	Dessar	Lincoln	Shiel
Berry	Fay	McGroarty	Slingerland
Bordwell	Friend	Merwin	Smith
Braman	Gallagher	J. W. Miller	Talmage
Brown	Green	Muller	W. F. Taylor
Calkins	Griffin	O'Keefe	Vosburgh
T. C. Campbell	Hanrahan	Page	Wellington
T. J. Campbell	Keenan	Petty	Wenzel
Clark	Kirk	Pope	Worth
Comstock	Kshinka	Prince	

Mr. Clark moved to recommit said bill, with instructions to amend the same so as to make the supervisors per diem \$4 per day instead of \$5.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	Lillybridge	Sanford
Badger	Ely	Lincoln	Schenck
Beardsley	Fish	Mackin	Schieffelin
Benedict	Friend	McAfee	Schuyler
Berry	Gallagher	McGowan	Scudder
Bishop	Green	McGroarty	Sherman
Bordwell	Griffin	Merwin	Sherwood
Broas	Hammond	J. W. Miller	Smith
Brogan	Hanrahan	Muller	Speaker
Brown	Hess	Oakley	Stephens
Calkins	Hinckley	O'Keefe	Talmage

T. C. Campbell	Holmes	Page	W. F. Taylor
T. J. Campbell	Hussey	Peck	Tewksbury
Clark	Husted	Petty	Vosburgh
Coffey	W. A. Johnson	Pierson	Wellington
Comstock	Keenan	Pope	Wenzel
Cooke	Kirk	Prince	West
Costigan	Krack	Ransom	Whitmore
Daggett	Lawrence	Reilly	Willis
Daly	Lawson	Roscoe	Worth
Davis	Lewis	Russell	

For the negative,

Kshinka

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the town of Newfane, in the county of Niagara, to raise money to build a town house," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Lewis	Scheiffelin
Badger	Davis	Lillybridge	Scudder
Beach	Decker	Lincoln	Sherman
Benedict	Dessar	Mackin	Sherwood
Berry	Ely	McAfee	Shiel
Bishop	Fish	McGowan	Slingerland
Bordwell	Friend	McGroarty	Smith
Braman	Gallagher	Merwin	Speaker
Broas	Green	J. W. Miller	Stephens
Brogan	Griffin	Page	G. Taylor
Brown	Hanrahan	Peck	W. F. Taylor
Burtis	Hinckley	Petty	Tewksbury
Calkins	Husted	Pope	Vosburgh
T. C. Campbell	W. A. Johnson	Prince	Wellington
T. J. Campbell	Keenan	Ransom	Wenzel
Clark	Kirk	Reilly	West
Comstock	Krack	Rich	Whitmore
Cooke	Kshinka	Russell	Willis
Costigan	Lawson	Schenck	Worth
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act authorizing the city of Buffalo to raise money by issuing bonds for laying out, improving and embellishing the public park in said city and the approaches thereto, and providing for

the payment of such bonds and the expenditure of such money," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 77 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Davis	Law	Rich
Badger	Decker	Lawrence	Sanford
Beach	Dessar	Lewis	Schenck
Bearlesley	Ely	Lillybridge	Schieffelin
Benedict	Friend	Lincoln	Schuyler
Berry	Gallagher	Mackin	Shattuck
Bordwell	Green	McAfee	Sherwood
Braman	Griffin	McGowan	Shiel
Brogan	Hammond	McGroarty	Smith
Brown	Hanrahan	Merwin	Speaker
Calkins	Hess	J. W. Miller	Stephens
T. C. Campbell	Hinckley	Page	G. Taylor
T. J. Campbell	Holmes	Peck	W. F. Taylor
Clark	Hussey	Petty	Vosburgh
Cole	Husted	Pierson	Wellington
Comstock	Keenan	Pope	Wenzel
Cooke	Kirk	Prince	West
Costigan	Krack	Ransom	Whitmore
Daggett	Kshinka	Reilly	Willis
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Daly introduced a bill entitled "An act to increase the efficiency of the court of general sessions of the peace in the city and county of New York," which was read the first time, and by unanimous consent was also read the second time.

On motion of Mr. Husted, and by unanimous consent, said bill was ordered to a third reading.

On motion of Mr. Husted, at 9 o'clock and 30 minutes, the House adjourned.

WEDNESDAY, APRIL 21, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Magee.

The reading of the journal of yesterday was dispensed with.

The Senate returned the bills entitled as follows:

"An act to authorize the New York Bowery Insurance Company to elect one or more vice-presidents,"

"An act further to amend chapter 130 of the Laws of 1842, entitled 'An act respecting elections other than for militia and town officers.'"

"An act to amend an act entitled 'An act to reorganize the local government of the city of New York,' passed April 30, 1873."

Ordered, That the Clerk deliver said bills to the Governor.

Leave of absence was granted to Messrs. Silverman and Vosburgh until Friday,

The Senate returned the bill entitled "An act to amend an act to provide for the care of the lands and buildings known as Washington's Headquarters, in the city of Newburgh, and the property connected therewith, passed May 11, 1874, chapter 426," with a message informing of concurrence in the passage of the same, with the following amendment:

Section 3, line 9, engrossed bill, strike out the words "is also appropriated," and insert the words "shall be paid."

The amendment having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Krack	Russell
Badger	Daggett	Lewis	Sanford
Barkley	Daly	Lillybridge	Schenck
Beach	Decker	Lincoln	Schieffelin
Benedict	Edson	Mackin	Schuyler
Bennett	Ely	McAfee	Scudder
Berry	Farrar	McGowan	Seward
Bishop	Fish	McGroarty	Shattuck
Bordwell	Friend	Merwin	Sherman
Bowen	Gallagher	J. W. Miller	Shiel
Brogan	Gedney	Muller	Smith
Brown	Green	Oakley	Speaker
Burtis	Griffin	O'Keefe	W. F. Taylor
Calkins	Hanrahan	Peck	Tewksbury
T. C. Campbell	Hauschel	Pierson	Wellington
T. J. Campbell	Hess	Prince	Wenzel
Clark	Hinckley	Ransom	West
Cleary	W. A. Johnson	Reilly	Whitmore
Coffey	Keenan	Roscoe	Willis
Comstock	Kennaday		

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendment.

The Senate returned the bill entitled "An act to amend chapter 836 of the Laws of 1872, entitled 'An act to regulate places of public amusement in the city of New York,' with a message informing of concurrence in the passage of the same, with the following amendments:

Section 1, line 5, strike out all after the word "hereby" down to and including the word "inserted" in line 6, and insert in lieu thereof the

words "amended so as to read as follows." Line 8, strike out the word "this" and insert the word "said." Line 9, after the word "which" insert the word "only." Line 10, strike out the words "or any" and insert the word "and." Same line, strike out the word "are." Line 11, strike out the words "given solely." Line 12, after "ses" insert the words "are given."

Strike out all of section 10.

The amendments having been read,

Mr. Speaker put the question whether the House would concur in the same, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present:

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Daly	Krack	Roscoe
Barkley	Davis	Kshinka	Sanford
Beach	Decker	Law	Schenck
Beardsley	Edson	Lawson	Schieffelin
Benedict	Ely	Lillybridge	Scudder
Bennett	Farrar	Lincoln	Seward
Berry	Fish	Mackin	Shattuck
Bishop	Friend	McAfee	Sherman
Bordwell	Gallagher	McGowan	Sherwood
Brogan	Green	McGroarty	Shiel
Brown	Griffin	Merwin	Smith
Burtis	Hanrahan	J. W. Miller	Speaker
Calkins	Hauschel	O'Keefe	Stacy
T. C. Campbell	Hepburn	Page	W. F. Taylor
T. J. Campbell	Hess	Peck	Tewksbury
Clark	Hinckley	Petty	Wellington
Cleary	Hogan	Pierson	Wenzel
Coffey	Hussey	Prince	West
Comstock	W. A. Johnson	Ransom	Whitmore
Costigan	Kirk	Reilly	Willis
Daggett			

For the negative,

Schuyler

Ordered, That the Clerk return said bill to the Senate, with a message informing of concurrence in their amendments.

The Senate returned the bill entitled "An act to provide for the support of government," with a message informing of concurrence in the passage of the same, with the following amendments:

Page 1, engrossed bill, lines 12, 13 and 14, amend paragraph so as to read: "For the clerks and messengers in the executive department, including the military secretary and messenger, for full compensation, eleven thousand five hundred dollars."

Page 2, after the word "appeals," in line 21, insert the words "and State Engineer and Surveyor (the same messenger)." Line 25, change the word "expense" to "expenses." After line 26, add a new para-

graph as follows: "For compensation of stenographers, pursuant to chapter 765 of the Laws of 1868, six thousand dollars; said amount to be paid only from the moneys which have been or shall be paid into the treasury for taxes levied for the purpose of said act and in pursuance thereof" Line 2, change the word "salary" to "salaries." Line 32, strike out the words "one thousand" and insert the words "eight hundred."

Page 4, line 9, strike out the word "five" and insert the word "six." After the word "thousand" insert the words "five hundred." Line 24, change the word "treasurer" to "treasury." Line 31, strike out the word "six" and insert the word "eight."

Page 5, line 3, after the word "dollars," insert a new paragraph as follows: "For the Department of Public Instruction, for traveling expenses which may be incurred in the visitation of common schools, normal schools, teachers' institutes, Indian schools and other institutions, under the supervision of that department, pursuant to part 1, chapter 15, title 2, section 11 of the Revised Statutes, and chapter 555, title 1, section 13 of the Laws of 1864, five hundred dollars." Line 7, strike out the word "nine" and insert the word "eight." After the word "thousand" insert the words "six hundred and seventy-five." Line 17, strike out the word "five" and insert the word "two." Line 30, strike out the word "eight" and insert the word "five."

Page 7, line 24, strike out the word "and."

Page 8, line 16, change the word "clerks" to "clerk." Line 18, change the word "officers" to "offices."

Page 10, line 3, change the word "keepers" to "keeper." Line 11, after the word "society" insert the words "and the Central and the Western New York societies." Strike out the paragraph relative to State prisons from line 18 to 22, both inclusive. Line 26, strike out the word "thirty" and insert "forty-five." Line 34, after the word "manual," insert the words "indexing bills, journals and documents of the Senate and Assembly."

Page 11, after line 8, insert a new paragraph as follows:

"STATE PRISONS.

"For the Inspectors of State prisons for salaries, to each of them, one thousand six hundred dollars, and for traveling expenses, to each of them, one thousand dollars."

Line 24, strike out the word "one" and insert the word "two." Strike out the words "five hundred." Strike out lines 35 and 36, being the paragraph relative to the support of Mark Jack, an Indian.

Page 12, line 16, after the word "the," first occurring, insert the words "agent of the."

After line 25, insert a new paragraph, as follows:

"For the Thomas Asylum for Orphan and Destitute Indian Children, for the education and maintenance of one hundred children, in pursuance of chapter of the Laws of 1875, at the rate of eighty-five dollars per capita, the sum of eight thousand five hundred dollars."

Strike out lines 26 to 29, both inclusive, relative to support of Susan Green.

Page 14, after line 14, insert as follows: "and three thousand dollars for the year commencing the first day of October, 1875, to be expended under the direction of the commissioners. Any sum payable out of the moneys so appropriated shall be paid to the person entitled thereto, upon

his presenting the proper vouchers, certified by either of the commissioners as by their order, or it shall be allowed and repaid to the commissioners in like manner as their other official expenses."

Page 15, after line 9, add a new paragraph, as follows:

"For the support and instruction of thirty pupils at the Central New York Institution for Deaf Mutes in the city of Rome, pursuant to the provisions of an act entitled 'An act relative to the care and education of deaf-mutes,' passed in the year 1875, or a proportionate amount for a shorter period of time than one year, or for a smaller number of pupils, the sum of nine thousand dollars, to be paid by the Comptroller upon the certificate and oath of the president and secretary of the said institution, approved by the Superintendent of Public Instruction, and this sum shall be in full of all demands upon this State up to the first day of October, 1876."

Line 22, after the word "forty" insert the word "five."

Page 16, line 2, after the word "pupils" insert the words "or a shorter period of time than one year."

After line 12, insert a new paragraph, as follows:

"For the support of Mark Jack, an insane Indian at the asylum, two hundred and fifty dollars. For the support of Susan Green, an insane Indian woman at the asylum, two hundred and fifty dollars, which sum is hereby fixed as the annual compensation for such support."

After line 15, insert a new paragraph, as follows:

"STATE INEBRIATE ASYLUM.

"For payment of salaries of superintendent, assistant physician, steward, chaplain and matron of the State Inebriate Asylum at Binghamton (chapter 625, Laws of 1873), six thousand dollars, or so much thereof as may be necessary; also, the sum of five hundred dollars, or so much thereof as may be necessary, for traveling and other expenses of the managers of the asylum, to be audited as required by law."

Line 22, strike out the word "four" and insert the word "three." After the word "thousand" insert the words "five hundred."

Line 28, after the word "three" insert the words "and chapter 464 of the Laws of 1874."

Page 17, line 14, strike out the word "five" and insert the word "four."

Page 18, after line 18, insert the following:

"The appropriations made in this act for academies shall be applied exclusively to that class of institutions; and for the benefit of the academical departments of union schools, the like sum of sixty-one thousand dollars, or so much as may be derived from a tax of three one hundredths of a mill upon each dollar of the taxable property of the State. The said sum to be distributed as prescribed in this act for the academies, which is hereby ordered to be levied for each and every year."

Page 19, line 25, change the word "treasuries" to "treasury."

Page 20, line 21, strike out the word "made."

Mr. Hammond moved that the House non-concur in the amendments of the Senate, that the bill with the amendments be printed, and that a committee of conference be appointed thereon on the part of the House, and a like committee requested on the part of the Senate.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker appointed Messrs. Hammond, Alvord, Davis, W. Miller and Daly as such committee.

Ordered, That the Clerk return said bill to the Senate, with a message informing of non-concurrence in their amendments, and request a committee of conference thereon.

Mr. Speaker presented a communication from the clerk of the common council of the city of New York, containing a resolution of that body and the mayor of said city relating to amending chapter 582 of the Laws of 1872; which was laid on the table and ordered printed.

(See Doc. No. 134.)

Also, a communication from the department of docks in the city of New York, containing resolutions of that department relating to the control of docks in said city; which was laid on the table and ordered printed.

(See Doc. No. 133.)

On motion of Mr. Schenck, and by unanimous consent, the committee of the whole was discharged from the further consideration of the bill entitled "An act to regulate the fare upon the Fonda and Fultonville horse railroad," and the same read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Krack	Schenck
Badger	Decker	Lawrence	Schieffelin
Barkley	Edson	Lawson	Schuyler
Beach	Ely	Lewis	Scudder
Benediot	Farrar	Lillybridge	Seward
Bennett	Fish	Lincoln	Sherman
Berry	Friend	Mackin	Sherwood
Bishop	Gallagher	McGowan	Shiel
Bowen	Gedney	McGroarty	Smith
Broas	Griffin	Merwin	Speaker
Brogan	Hanrahan	J. W. Miller	Stacy
Brown	Hauschel	O'Keefe	Struble
Calkins	Hess	Page	G. Taylor
T. C. Campbell	Hinckley	Peck	W. F. Taylor
T. J. Campbell	Hogan	Pierson	Tewksbury
Clark	Holmes	Ransom	Wellington
Cleary	Hussey	Reilly	Wenzel
Coffey	W. A. Johnson	Roscoe	West
Comstock	Keenan	Russell	Whitmore
Costigan	Kennaday	Sanford	Willis
Daggett	Kirk		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the court of oyer and terminer and court of sessions of the county of Kings, to sentence prisoners con-

victed in said courts of any offense to the penitentiary of said county for any term for which they might be sentenced to a State prison," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 84 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kirk	Russell
Badger	Daly	Krack	Sanford
Barkley	Decker	Kshinka	Schieffelin
Beach	Edson	Lawrence	Schuyler
Beardsley	Ely	Lawson	Scudder
Benedict	Farrar	Lewis	Shattuck
Bennett	Fish	Lincoln	Sherman
Berry	Friend	Mackin	Sherwood
Bordwell	Gallagher	McAfee	Smith
Broas	Green	McGowan	Speaker
Brogan	Griffin	McGroarty	Stephens
Brown	Hanrahan	Merwin	Struble
Burtis	Hauschel	J. W. Miller	Talmage
T. C. Campbell	Hepburn	Muller	G. Taylor
T. J. Campbell	Hess	O'Keefe	W. F. Taylor
Clark	Hinckley	Page	Tewksbury
Cleary	Hogan	Peck	Vedder
Coffey	Holmes	Petty	Wellington
Cole	Hussey	Ransom	Wenzel
Comstock	W. A. Johnson	Rich	West
Costigan	Kennaday	Roscoe	Whitmore

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for an assessment for regulating, grading and sewerage parts of the Tenth avenue and Ninety-third street, in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 76 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Rich
Barkley	Edson	Kshinka	Sanford
Beach	Ely	Law	Scudder
Beardsley	Fish	Lawson	Shattuck
Bennett	Friend	Lewis	Sherman

Bordwell	Gallagher	Lillybridge	Sherwood
Bowen	Green	Lincoln	Shiel
Brogan	Hanrahan	Mackin	Smith
Burtis	Hauschel	McGowan	Speaker
Calkins	Hepburn	McGroarty	Stacy
T. C. Campbell	Hess	Merwin	Stephens
T. J. Campbell	Hinckley	J. W. Miller	Struble
Cleary	Hogan	Muller	Talmage
Coffey	Holmes	O'Keefe	W. F. Taylor
Cole	Hussey	Peck	Tewksbury
Comstock	W. A. Johnson	Petty	Wellington
Costigan	Keenan	Pierson	Wenzel
Daggett	Kennaday	Ransom	West
Daly	Kirk	Reilly	Willis

For the negative.

Schieffelin

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the bills entitled as follows:

"An act for the incorporation of societies for the prevention of cruelty to children."

"An act to amend an act entitled 'An act to incorporate the city of Cohoes,' passed May 19, 1869, and the acts amending the same.'"

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Hammond, from the committee on ways and means, to which was referred the bill (recalled from the Governor for amendment) entitled "An act to provide for the better care of pauper and destitute children," reported the same amended as follows:

Add at the end of section 1, engrossed bill, the following: "But such justice of the peace, police justice or other magistrate, and also such county superintendent or overseer of the poor, or other officer, shall commit such child or children, not above exempted, to some orphan asylum or other charitable or reformatory institution, as now provided for by law."

Section 2, line 10, after the word "and" insert the words "also to cause the removal." Same line and section, after the word "hereafter" insert the words "come under their care and control, or hereafter."

Add at the end of section 2 the following: "In placing any such child in any such institution, it shall be the duty of the officer, justice or person placing it there to commit such child to an orphan asylum, charitable or other reformatory institution that is governed or controlled by officers or persons of the same religious faith as the parents of such child, as far as practicable."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Coffey	Hess	Page
Badger	Cole	Hinckley	Peck
Barrow	Comstock	Hogan	Ransom
Beardsley	Costigan	Holmes	Roscoe
Benedict	Daggett	Husted	Schuyler
Bennett	Daly	Keenan	Scudder
Berry	Decker	Kennaday	Seward
Bishop	Edson	Kirk	Shattuck
Bordwell	Ely	Kshinka	Shiel
Bowen	Farrar	Lawson	Stacy
Braman	Fish	Lewis	Stephens
Broas	Friend	Lillybridge	Struble
Brogan	Gallagher	Lincoln	Tewksbury
Brown	Gedney	McAfee	Tremain
Burtis	Green	McGowan	Vedder
Calkins	Griffin	McGroarty	Wenzel
T. C. Campbell	Hammond	Merwin	West
T. J. Campbell	Hanrahan	J. W. Miller	Whitmore
Clark	Hauschel	Muller	Willis
Cleary	Hepburn	O'Keefe	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 395, of the Laws of 1878, entitled 'An act to alter the system of repairing highways,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kshinka	Schenck
Badger	Decker	Lawrence	Schieffelin
Barkley	Dessar	Lawson	Scudder
Beach	Edson	Lillybridge	Seward
Beardsley	Ely	Lincoln	Sherman
Benedict	Farrar	Mackin	Sherwood
Berry	Fish	McGowan	Shiel
Bordwell	Friend	McGroarty	Smith
Braman	Gallagher	Merwin	Speaker
Broas	Green	J. W. Miller	Stephens
Brogan	Griffin	Muller	Struble
Burtis	Hammond	O'Keefe	Talmage
Calkins	Hanrahan	Page	G. Taylor
T. C. Campbell	Hauschel	Peck	Tewksbury
T. J. Campbell	Hinckley	Petty	Tremain

Clark	Hogan	Pierson	Vedder
Cleary	Holmes	Ransom	Wellington
Coffey	Husted	Reilly	Wenzel
Cole	W. A. Johnson	Rich	West
Comstock	Kennaday	Roscoe	Whitmore
Costigan	Kirk	Russell	Willis
Daggett	Krack	Sanford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend the Revised Statutes in relation to laying out public roads and the alteration thereof," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Krack	Sanford
Badger	Dessar	Kshinka	Schenck
Barrow	Edson	Lawrence	Schuyler
Beach	Ely	Lawson	Seward
Benedict	Farrar	Lewis	Sherman
Berry	Fish	Lillybridge	Sherwood
Bishop	Friend	Lincoln	Smith
Bordwell	Gallagher	Mackin	Speaker
Braman	Gedney	McAfee	Stacy
Broas	Green	McGowan	Stephens
Brogan	Griffin	McGroarty	Struble
Brown	Hanrahan	Merwin	Talmage
Burtis	Hauschel	J. W. Miller	G. Taylor
Calkins	Hess	Oakley	W. F. Taylor
T. C. Campbell	Hinckley	O'Keefe	Tewksbury
T. J. Campbell	Hogan	Page	Tremain
Clark	Holmes	Peck	Vedder
Cleary	Hussey	Petty	Wellington
Coffey	Husted	Ransom	Wenzel
Cole	W. A. Johnson	Reilly	West
Costigan	Kennaday	Roscoe	Whitmore
Daggett	Kirk	Russell	Willis
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the appointment and employment of a stenographer for the recorder's court of the city of Oswego," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	W. A. Johnson	Rich
Badger	Daggett	Kennaday	Russell
Barkley	Daly	Kirk	Schenck
Barrow	Decker	Krack	Schieffelin
Beach	Dessar	Kshinka	Schuyler
Beardsley	Edson	Law	Seward
Benedict	Ely	Lawrence	Shattuck
Bennett	Farrar	Lawson	Sherman
Berry	Faulkner	Lillybridge	Sherwood
Bishop	Fish	Lincoln	Shiel
Bordwell	Friend	Mackin	Smith
Bowen	Gallagher	McAfee	Speaker
Broas	Gedney	McGowan	Stephens
Brown	Green	McGroarty	Struble
Burtis	Griffin	Merwin	Talmage
Calkins	Hammond	J. W. Miller	G. Taylor
T. C. Campbell	Hanrahan	Oakley	W. F. Taylor
T. J. Campbell	Hauschel	O'Keefe	Tremain
Clark	Hepburn	Page	Vedder
Cleary	Hinckley	Peck	Wenzel
Coffey	Hogan	Petty	West
Cole	Holmes	Ransom	Whitmore
Comstock	Husted	Reilly	Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the taking of certain lands in the city of Buffalo, for the purpose of the continuation of Fillmore avenue, from its present southerly termination to the westerly line of the Hamburg turnpike, and for improving and embellishing the same," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 83 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kirk	Schuyler
Barkley	Dessar	Krack	Scudder
Beach	Edson	Kshinka	Seward
Benedict	Ely	Lawrence	Shattuck
Bennett	Farrar	Lawson	Sherman
Berry	Faulkner	Lillybridge	Shiel
Bordwell	Fream	Lincoln	Smith
Bowen	Gallagher	Mackin	Speaker
Braman	Gedney	McGowan	Stephens
Broas	Green	McGroarty	Struble

Brogan	Griffin	Merwin	Talmage
Burtis	Hanrahan	J. W. Miller	G. Taylor
Calkins	Hauschel	Muller	W. F. Taylor
T. C. Campbell	Hess	Oakley	Tewksbury
T. J. Campbell	Hinckley	Page	Vedder
Clark	Hogan	Peck	Wellington
Cleary	Holmes	Petty	Wenzel
Cole	Houghton	Pierson	West
Comstock	Hussey	Prince	Whitmore
Costigan	Husted	Ransom	Willis
Daly	Kennaday	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act permitting fishing with gill nets for suckers in Schuyler's lake," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 93 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Russell
Badger	Decker	Kirk	Schenck
Barkley	Dessar	Krack	Schieffelin
Barrow	Edson	Kashinka	Schuyler
Beach	Ely	Lawrence	Scudder
Benedict	Farrar	Lawson	Seward
Bennett	Faulkner	Lincoln	Shattuck
Berry	Fish	Mackin	Sherman
Bishop	Friend	McAfee	Shiel
Bordwell	Gallagher	McGowan	Smith
Bowen	Gedney	McGroarty	Speaker
Braman	Green	J. W. Miller	Stephens
Broas	Griffin	Muller	Struble
Brown	Hammond	Oakley	Talmage
Burtis	Hanrahan	Page	G. Taylor
Calkins	Hepburn	Peck	W. F. Taylor
T. C. Campbell	Hinckley	Petty	Tewksbury
T. J. Campbell	Hogan	Pierson	Vedder
Clark	Holmes	Prince	Wellington
Cleary	Hussey	Ransom	Wenzel
Cole	Husted	Reilly	West
Cooke	W. A. Johnson	Rich	Whitmore
Costigan	Keenan	Roscoe	Willis
Daggett			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend section 10 of chapter 830 of the Laws of 1878, entitled 'An act to legalize the adoption of minor children by adult persons,' " was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 82 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Decker	W. A. Johnson	Reilly
Badger	Dessar	Keenan	Rich
Barrow	Edson	Kennaday	Russell
Beach	Ely	Kirk	Schuyler
Beardsley	Farrar	Krack	Scudder
Benedict	Faulkner	Kshinka	Seward
Bennett	Fish	Law	Sherman
Berry	Friend	Lawson	Shiel
Bordwell	Gallagher	Lewis	Smith
Braman	Gedney	Lincoln	Speaker
Broas	Green	Mackin	Stephens
Brown	Griffin	McAfee	Struble
Burtis	Hanrahan	McGowan	Talmage
Calkins	Hauschel	J. W. Miller	G. Taylor
T. C. Campbell	Hepburn	Muller	Tewksbury
T. J. Campbell	Hess	Oakley	Tremain
Clark	Hinckley	Page	Vedder
Cleary	Hogan	Petty	Wenzel
Costigan	Holmes	Pierson	West
Daggett	Houghton	Ransom	Willis
Daly	Husted		

For the negative,

Coffey

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act to amend chapter 264 of the Laws of 1851, entitled 'An act to amend the act entitled An act to incorporate the village of Bath, in the county of Steuben,'" as amended was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kirk	Sanford
Badger	Decker	Krack	Schenck
Barkley	Edson	Kshinka	Schieffelin
Barrow	Ely	Lawrence	Schuyler
Beach	Farrar	Lawson	Scudder

Beardsley	Faulkner	Lewis	Seward
Benedict	Fish	Lincoln	Sherman
Berry	Friend	Mackin	Shiel
Bishop	Gallagher	McAfee	Smith
Bordwell	Gedney	McGowan	Speaker
Braman	Green	McGroarty	Stephens
Broas	Griffin	Merwin	Struble
Brown	Hanrahan	J. W. Miller	Talmage
Burtis	Hauschel	Oakley	G. Taylor
Calkins	Hess	O'Keefe	W. F. Taylor
T. C. Campbell	Hinckley	Page	Tewksbury
T. J. Campbell	Hogan	Peck	Tremain
Clark	Holmes	Petty	Vedder
Cleary	Houghton	Pierson	Wellington
Coffey	Hussey	Ransom	Wenzel
Comstock	Husted	Rich	West
Costigan	W. A. Johnson	Roscoe	Whitmore
Daggett	Kennaday	Russell	Willis

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same, with amendments.

The bill entitled "An act to authorize the trustees of the village of Salem, Washington county, New York, to raise by tax upon the village a sum of money, for the purpose of procuring a steam fire engine and apparatus, and digging fire wells for the fire department in said village," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 95 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daly	Kennaday	Rich
Badger	Decker	Kirk	Russell
Barrow	Dessar	Krack	Sanford
Beach	Edson	Kshinka	Schenck
Beardsley	Ely	Lawrence	Schuyler
Benedict	Farrar	Lawson	Scudder
Berry	Faulkner	Lewis	Seward
Bordwell	Fish	Lillybridge	Shattuck
Bowen	Friend	Lincoln	Sherman
Braman	Gallagher	Mackin	Shiel
Broas	Gedney	McAfee	Smith
Brown	Green	McGowan	Speaker
Burtis	Griffin	McGroarty	Stephens
Calkins	Hammond	Merwin	Struble
T. C. Campbell	Hanrahan	J. W. Miller	Talmage
T. J. Campbell	Hauschel	Muller	G. Taylor
Clark	Hess	Oakley	W. F. Taylor
Cleary	Hinckley	O'Keefe	Tewksbury
Coffey	Hogan	Page	Vedder
Cole	Holmes	Peck	Wellington

Comstock	Houghton	Petty	Wenzel
Cooke	Hussey	Pierson	West
Costigan	Husted	Ransom	Willis
Daggett	W. A. Johnson	Reilly	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to the improvement of the Croton aqueduct in the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 92 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Kennaday	Roscoe
Badger	Daggett	Kirk	Russell
Barkley	Daly	Krack	Sanford
Barrow	Edson	Kshinka	Schenck
Beardsley	Ely	Lawrence	Schuyler
Benedict	Farrar	Lawson	Scudder
Bennett	Faulkner	Lewis	Sherman
Berry	Fish	Lillybridge	Sherwood
Bishop	Friend	Lincoln	Shiel
Bowen	Gallagher	Mackin	Smith
Braman	Gedney	McAfee	Speaker
Broas	Green	McGowan	Stephens
Brown	Griffin	McGroarty	Struble
Burtis	Hanrahan	Merwin	Talmage
Calkins	Hauschel	J. W. Miller	G. Taylor
T. C. Campbell	Hess	Muller	W. F. Taylor
T. J. Campbell	Hinckley	Oakley	Tewksbury
Clark	Hogan	O'Keefe	Tremain
Cleary	Holmes	Petty	Vedder
Coffey	Houghton	Pierson	Wenzel
Cole	Hussey	Ransom	West
Comstock	Husted	Reilly	Whitmore
Cooke	W. A. Johnson	Rich	Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to authorize the city of Troy to refund a portion of its bonded debt," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative were,

Alvord	Daly	Kirk	Reilly
Badger	Decker	Krack	Russell

Barkley	Edson	Kshinka	Schenck
Barrow	Ely	Lawrence	Schieffelin
Beach	Farrar	Lawson	Scudder
Benedict	Faulkner	Lewis	Seward
Bennett	Fish	Lillybridge	Sherman
Berry	Friend	Lincoln	Shiel
Bordwell	Gallagher	Mackin	Smith
Braman	Gedney	McAfee	Speaker
Broas	Green	McGowan	Stephens
Brogan	Griffin	McGroarty	Struble
Burtis	Hanrahan	J. W. Miller	Talmage
Calkins	Hauschel	Oakley	G. Taylor
T. C. Campbell	Hess	O'Keefe	W. F. Taylor
T. J. Campbell	Hinckley	Page	Tewksbury
Clark	Hogan	Peck	Vedder
Cleary	Holmes	Petty	Wellington
Coffey	Houghton	Pierson	Wenzel
Comstock	Hussey	Pope	West
Cooke	Husted	Prince	Whitmore
Costigan	W. A. Johnson	Ransom	Willis
Daggett	Kennaday		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to regulate the course of proceedings at the trial on a charge of felony after a previous conviction for felony," being announced for a third reading,

On motion of Mr. McGowan, and by unanimous consent, said bill was amended as follows:

Line 17, engrossed bill, insert after the word "and" the words "in such case."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 91 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Kshinka	Schuyler
Barkley	Farrar	Lawrence	Scudder
Barrow	Faulkner	Lawson	Seward
Beardsley	Fish	Lewis	Shattuck
Benedict	Friend	Lincoln	Sherman
Berry	Gallagher	Mackin	Sherwood
Bishop	Gedney	McAfee	Shiel
Bordwell	Green	McGowan	Smith
Bowen	Griffin	McGroarty	Speaker
Broas	Hanrahan	Merwin	Stephens
Brogan	Hauschel	J. W. Miller	Struble
Brown	Hess	Oakley	Talmage
Burtis	Hinckley	O'Keefe	G. Taylor
Calkins	Hogan	Page	W. F. Taylor

T. C. Campbell	Holmes	Petty	Tewksbury
T. J. Campbell	Houghton	Pierson	Vedder
Clark	Hussey	Pope	Wellington
Cleary	Husted	Prince	Wenzel
Comstock	W. A. Johnson	Ransom	West
Cooke	Keenan	Rich	Whitmore
Daggett	Kennaday	Roscoe	Willis
Daly	Kirk	Sanford	Yost
Edson	Krack	Schenck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 758 of the Laws of 1865, entitled 'An act to authorize the towns of Otsego, Hartwick and Middlefield, in the county of Otsego, to issue bonds and subscribe and take for said towns capital stock in the Cooperstown and Susquehanna Valley Railroad Company," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Ely	Krack	Russell
Barkley	Farrar	Kshinka	Sanford
Beach	Faulkner	Law	Schenck
Benedict	Fish	Lawrence	Schuyler
Bennett	Friend	Lawson	Scudder
Berry	Gallagher	Lewis	Sherman
Bishop	Gedney	Lillybridge	Sherwood
Bordwell	Green	Lincoln	Shiel
Braman	Griffin	Mackin	Speaker
Broas	Hanrahan	McAfee	Stephens
Brown	Hauschel	McGowan	Struble
Burtis	Hess	McGroarty	Talmage
Calkins	Hinckley	J. W. Miller	G. Taylor
T. C. Campbell	Hogan	Muller	W. F. Taylor
T. J. Campbell	Holmes	Oakley	Tewksbury
Clark	Houghton	O'Keefe	Vedder
Cleary	Hussey	Page	Wellington
Comstock	Husted	Petty	Wenzel
Cooke	W. A. Johnson	Pierson	West
Costigan	Keenan	Prince	Whitmore
Daly	Kennaday	Ransom	Willis
Decker	Kirk	Rich	Yost
Edson			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 661 of the Laws of 1873, entitled 'An act to provide for the support and care of State paupers,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 88 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Krack	Schenck
Badger	Ely	Kshinka	Schieffelin
Barkley	Farrar	Lawrence	Schuyler
Beach	Faulkner	Lawson	Scudder
Benedict	Fish	Lillybridge	Shattuck
Berry	Friend	Lincoln	Sherman
Bishop	Gallagher	Mackin	Sherwood
Bordwell	Gedney	McAfee	Shiel
Bowen	Green	McGowan	Smith
Braman	Griffin	McGroarty	Speaker
Broas	Hammond	J. W. Miller	Stephens
Burtis	Hanrahan	Muller	Struble
Calkins	Hess	Oakley	Talmage
T. C. Campbell	Hinckley	O'Keefe	G. Taylor
T. J. Campbell	Hogan	Page	W. F. Taylor
Clark	Holmes	Petty	Vedder
Cleary	Hussey	Prince	Wellington
Coffey	Husted	Ransom	Wenzel
Cole	W. A. Johnson	Reilly	West
Comstock	Keenan	Rich	Whitmore
Cooke	Kennaday	Roscoe	Willis
Decker	Kirk	Russell	Yost

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chenango Canal extension which lies south of the Susquehanna river,' passed June 26, 1873," being announced for a third reading,

Mr. Bishop moved to recommit said bill to the committee on canals with instructions to make the following amendments, and report the same back forthwith:

Page 2, section 1, line 1, engrossed bill, after the word "taken" insert the words "and paid for."

Page 3, section 1, line 3, subdivision 5, strike out the word "shall" and insert the word "may."

Insert at the end of section 2, line 4, page 4, the following: "Provided said railroad company pay and settle all damages sustained by any person or persons for lands taken for said canal, which have not been paid for by the State within six months from the passage of this act. Otherwise said lands taken by the State for the Chenango canal extension from the several property holders extending north-west of the farm of A. P. Storrs, in the village of Owego, on the line of said canal, which has not been paid for by the State, revert and the same is hereby released and restored to the person or persons now owning the farms

from which the lands were taken, with the full control and possession of the same, as if the said lands had not been taken by the State within one year from the passage of this act; the Canal Appraisers shall go on and examine the several portions of land so taken by the State for said canal, hear evidence and award damages for injuries by excavations made by contractors under contracts made between them and the Canal Commissioners of the State, and certify their awards in the usual manner."

Amend the title to correspond.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Alvord moved to reconsider the vote just taken.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The question being on the motion of Mr. Bishop,

Mr. Sherwood moved to substitute therefor the following:

At the end of section 1 insert the following: "6. Said railroad company shall assume any liability of the State for all unadjusted claims of owners of lands taken by the State for said canal extension, which may be used by said company in the construction of said railroad lying west of the farm of A. P. Storrs in the village of Owego."

Amend the title so as to read as follows: "An act to amend chapter 835 of 1873 entitled 'An act to authorize the Binghamton, Dushore and Williamsport Railroad Company to lay a railroad track on the tow-path of that part of the Chenango canal extension, which lies south of the Susquehanna river, and supplementary thereto.'"

Amend section 1 to correspond with the above title.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sherwood, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion to recommit, and it was determined in the affirmative.

Mr. Page, from the committee on canals, reported back said bill amended as directed by the House.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 88 }
{ NOES 9 }

Those who voted in the affirmative, were

Alvord	Comstock	Kshinka	Rich
Badger	Costigan	Law	Roscoe
Barkley	Daggett	Lawrence	Santford
Beach	Davis	Lawson	Schenck
Beardsley	Decker	Lewis	Schieffelin
Benedict	Edson	Lillybridge	Schuyler
Bennett	Farrar	Lincoln	Scudder
Berry	Faulkner	Mackin	Seward
Bordwell	Fay	McGowan	Sherman
Bowen	Fish	McGroarty	Sherwood
Braman	Friend	Merwin	Stauf

Broas	Gedney	J. W. Miller	Stephens
Brogan	Green	Muller	Talmage
Brown	Hammond	Oakley	Fewksbury
Burtis	Hanrahan	O'Keefe	Tremain
Calkins	Hauschel	Page	Vosburgh
T. C. Campbell	Hess	Peck	Wellington
T. J. Campbell	Holmes	Petty	Wenzel
Clark	Houghton	Pierson	Willis
Cleary	Hussey	Pope	Worth
Coffey	W. A. Johnson	Prince	Yost
Cole	Kirk		

Those who voted in the negative, were

Bishop	Griffin	Keenan	Smith
Cooke	Hinckley	Reilly	W. F. Taylor
Ely			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Governor was received and read, in the words following :

STATE OF NEW YORK—EXECUTIVE CHAMBER, {
ALBANY, *April 21, 1875.* }

To the Assembly :

I return herewith without my approval Assembly bill No. 172, entitled "An act to authorize the increase of the capital stock of the Richmond County Storage and Business Company."

The company named in the title of this bill was incorporated by chapter 684 of the Laws of 1870, with a capital of one hundred thousand dollars, with power to increase the same to five hundred thousand dollars.

I am informed that this corporation has never done any business under its charter, or exercised any of the powers thereby conferred upon it, except that it has perfected its organization.

The primary object of this company is "to receive on storage or deposit any goods, wares, merchandise or property for safe keeping or shipment, and to make advances thereon or on the pledge thereof, and to transact all kinds of business usually done by warehousemen and lightermen, and to collect dockage, wharfage, storage and lighterage for the use of their property, and the machinery connected therewith, or the lighters employed by them ;" but it is also authorized by its charter to "guaranty the payment of promissory notes, bills of exchange, bonds, accounts, claims, annuities, mortgages, choses in action, and evidences of debt, and the punctual performance of all contracts and obligations upon such terms as are allowed by law ;" and also to "receive and take the management, charge or custody of real or personal property and choses in action ;" and to "advance moneys, securities or credits thereon, on such terms as are allowed by law," whether such securities, contracts or property have any connection or relation to the business of storage, dockage or lighterage, or not.

The bill now before me authorizes the increase of the capital stock of the company to the extent of one million of dollars.

I cannot sanction any increase of the capital stock of a corporation whose powers are so diverse and extensive.

On the other hand, I recommend the modification or repeal of its charter.

SAMUEL J. TILDEN.

Mr. Speaker then put the question, "Shall this bill become a law notwithstanding the objections of the Governor?" and it was determined in the negative.

{ AYES 00 }
{ NOES 85 }

Those who voted in the affirmative, were

Alvord	Davis	Kennaday	Schieffelin
Badger	Decker	Kirk	Schuyler
Barkley	Edson	Krack	Scudder
Benedict	Ely	Kshinka	Seward
Bennett	Farrar	Law	Shattuck
Berry	Faulkner	Lawson	Sherman
Bishop	Friend	Lillybridge	Sherwood
Bordwell	Gallagher	Mackin	Shiel
Bowen	Gedney	McAfee	Smith
Braman	Green	McGowan	Speaker
Broas	Griffin	Merwin	Stacy
Calkins	Hammond	J. W. Miller	Struble
T. C. Campbell	Hanrahan	Oakley	Talmage
T. J. Campbell	Hauschel	O'Keefe	W. F. Taylor
Clark	Hess	Page	Tewksbury
Cleary	Hinckley	Peck	Wellington
Coffey	Holmes	Petty	Wenzel
Cole	Hussey	Prince	West
Comstock	Husted	Rich	Whitmore
Cooke	W. A. Johnson	Russell	Willis
Costigan	Keenan	Sanford	Yost
Daly			

The bill entitled "An act further to amend chapter 857 of the Laws of 1873, entitled 'An act in relation to the keeping open of certain public offices in the county of Kings,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Cooke	Husted	Ransom,
Barkley	Costigan	W. A. Johnson	Rich
Barrow	Daly	Keenan	Russell
Beach	Decker	Kirk	Sanford
Beardsley	Edson	Kshinka	Schenck
Benedict	Ely	Lawrence	Schieffelin
Berry	Farrar	Lewis	Scudder]
Bishop	Faulkner	Lillybridge	Seward .

Bordwell	Fay	Lincoln	Shiel
Bowen	Fish	McGowan	Smith
Braman	Friend	McGroarty	Stephens
Brown	Gedney	Merwin	Struble
Burtis	Green	J. W. Miller	G. Taylor
Calkins	Griffin	Oakley	W. F. Taylor
T. C. Campbell	Hanrahan	O'Keefe	Wellington
T. J. Campbell	Hauschel	Page	Wenzel
Clark	Hess	Peck	West
Cleary	Hinokley	Petty	Whitmore
Cole	Holmes	Pierson	Yost
Comstock	Houghton	Pope	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend chapter 569 of the Laws of 1870, entitled 'An act to authorize the sale of lands belonging to and occupied by the Seamen's Retreat on Staten Island,'" being announced for a third reading,

Mr. Hess moved to recommit said bill, with instructions to strike out the enacting clause.

Debate was had thereon, when

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Stephens moved to reconsider the vote just taken, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

The Senate bill entitled "An act to amend chapter 435 of the Laws of 1868, entitled 'An act to incorporate the village of Hamilton, in the county of Madison, and to repeal its present charter,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths of said members being present.

{ AYES 78 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Schenck
Badger	Dessar	Kirk	Schieffelin
Barkley	Edson	Lawrence	Schuyler
Beach	Ely	Lawson	Souder
Beardsley	Farrar	Lillybridge	Seward
Bennett	Faulkner	Lincoln	Sherwood
Bordwell	Friend	Mackin	Shiel
Braman	Gedney	McGowan	Smith
Broas	Green	McGroarty	Speaker
Burtis	Griffin	Merwin	Stephens
Calkins	Hammond	O'Keefe	Struble
T. C. Campbell	Hanrahan	Page	Talmage
T. J. Campbell	Hess	Peck	Tewksbury

Christopher	Hinckley	Petty	Vedder
Clark	Hogan	Pope	Wellington
Cleary	Holmes	Ransom	Wenzel
Cole	Houghton	Reilly	West
Comstock	Hussey	Roscoe	Whitmore
Costigan	W. A. Johnson	Russell	Willis
Daggett	Keenan		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to regulate fishing in the waters known as Cooper's lake, in the town of Woodstock, Ulster county," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 1 }

Those who voted in the affirmative, were

Alvord	Edson	Kirk	Schenck
Badger	Ely	Krack	Schuyler
Beach	Farrar	Kshinka	Scudder
Beardsley	Faulkner	Lawrence	Seward
Benedict	Friend	Lawson	Sherwood
Berry	Gedney	Lillybridge	Shiel
Bishop	Green	Lincoln	Smith
Bordwell	Griffin	Mackin	Speaker
Braman	Hammond	McAfee	Stephens
Brogan	Hanrahan	McGroarty	Struble
Burtis	Hauschel	Merwin	Talmage
Calkins	Hess	O'Keefe	Tewksbury
T. C. Campbell	Hinckley	Peck	Tremain
T. J. Campbell	Hogan	Petty	Wellington
Christopher	Holmes	Pierson	Wenzel
Clark	Houghton	Prince	West
Cleary	Hussey	Ransom	Whitmore
Cole	W. A. Johnson	Rich	Willis
Comstock	Keenan	Roscoe	Worth
Daggett	Kennaday	Russell	Yost
Decker			

For the negative,

Costigan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill entitled "An act in relation to the census or enumeration of the inhabitants of this State," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kennaday	Rich
Badger	Ely	Kirk	Schenck
Barrow	Farrar	Krack	Schieffelin
Beardsley	Faulkner	Law	Schuyler
Berry	Fay	Lawrence	Scudder
Bishop	Friend	Lawson	Sherman
Braman	Gallagher	Lillybridge	Sherwood
Broas	Green	Lincoln	Shiel
Brogan	Griffin	Mackin	Smith
Burtis	Hammond	McGowan	Speaker
Calkins	Hanrahan	McGroarty	Stephens
T. C. Campbell	Hauschel	J. W. Miller	Struble
T. J. Campbell	Hess	Oakley	Talmage
Clark	Hinckley	O'Keefe	W. F. Taylor
Cleary	Hogan	Page	Tewksbury
Coffey	Holmes	Peck	Wenzel
Comstock	Houghton	Petty	West
Costigan	Hussey	Pierson	Whitmore
Daly	W. A. Johnson	Prince	Worth
Decker	Keenan	Ransom	Yost
Dessar			

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

On motion of Mr. Page, and by unanimous consent, the bill entitled "An act to authorize a tax of three-fifths of a mill per dollar of valuation of the year 1875, for the construction of new work upon and extraordinary repairs of the canals of this State," was made a special order for to-morrow morning, immediately after the reading of the journal.

The Senate bill entitled "An act in relation to the erection of the court house in the third judicial district of the city of New York," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 90 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kirk	Russell
Badger	Ely	Krack	Schieffelin
Barrow	Farrar	Kshinka	Schuyler
Beach	Faulkner	Law	Scudder
Benedict	Fay	Lawrence	Seward
Bennett	Friend	Lillybridge	Sherman
Berry	Gallagher	Lincoln	Sherwood
Bordwell	Gedney	Mackin	Shiel
Braman	Green	McAfee	Smith

Broas	Griffin	McGowan	Speaker
Burtis	Hammond	McGroarty	Stauf
Calkins	Hanrahan	Merwin	Stephens
T. C. Campbell	Hauschel	J. W. Miller	Struble
T. J. Campbell	Hess	O'Keefe	Talmage
Christopher	Hinckley	Page	W. F. Taylor
Clark	Hogan	Peck	Tremain
Cleary	Holmes	Petty	Vedder
Cole	Houghton	Pierson	Wellington
Comstock	Hussey	Pope	West
Costigan	Husted	Ransom	Whitmore
Daggett	W. A. Johnson	Reilly	Willis
Daly	Keenan	Roscoe	Worth
Decker	Kennaday		

Ordered, That the Clerk return said bill to the Senate, with a message informing that the Assembly have passed the same.

The bill entitled "An act to amend section 10 of chapter 623 of the Laws of 1874, entitled 'An act to amend an act entitled An act to revise and consolidate the laws in relation to the village of Geneva, in the county of Ontario,'" being announced for a third reading,

On motion of Mr. Hammond, and by unanimous consent, said bill was amended as follows:

Strike out section 1 and insert the following:

"SECTION 1. Hereafter the election for all officers to be chosen by the electors under the charter of the village of Geneva, Ontario county, shall be held on the first Monday of February in each year, and the several polls for such election shall be open at eight o'clock in the morning and continue open without intermission until sundown, when they shall be closed."

Amend the title so as to read, "An act in relation to the election of village officers in Geneva, Ontario county."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 86 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Edson	Kirk	Reilly
Badger	Ely	Krack	Roscoe
Beach	Farrar	Kshinka	Russell
Beardsley	Faulkner	Lawrence	Schieffelin
Benedict	Fay	Lawson	Schuyler
Berry	Friend	Lillybridge	Scudder
Bordwell	Gallagher	Lincoln	Seward
Braman	Green	Mackin	Sherwood
Broas	Griffin	McAfee	Shiel
Burtis	Hammond	McGowan	Smith
Calkins	Hanrahan	McGroarty	Speaker
T. C. Campbell	Hauschel	Merwin	Stauf

T. J. Campbell	Hess	J. W. Miller	Stephens
Christopher	Hinckley	Muller	Struble
Clark	Hogan	O'Keefe	W. F. Taylor
Cleary	Holmes	Page	Tewksbury
Cole	Houghton	Peck	Tremain
Costigan	Hussey	Petty	Wenzel
Daggett	Husted	Pierson	West
Daly	W. A. Johnson	Pope	Willis
Decker	Keenan	Ransom	Yost
Dessar	Kennaday		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A message from the Senate was received and read, informing of concurrence in the passage of the bill entitled as follows:

"An act to regulate the fare upon the Fonda and Fultonville Horse Railroad."

Ordered, That the Clerk deliver said bill to the Governor.

The bill entitled "An act authorizing the taxation of stockholders of life, fire and marine insurance companies," being announced for a third reading,

Mr. Husted moved to recommit said bill to the committee of the whole.

Debate was had thereon, when

Mr. Lincoln moved to amend by making said bill a special order for to-morrow morning immediately after the reading of the journal.

Mr. Hammond moved as a further amendment, that it retain its place on third reading of bills.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hammond, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Lincoln, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Husted, as amended, and it was determined in the affirmative, two-thirds of all the members present voting in favor thereof.

The bill entitled "An act to amend chapter 452 of the Laws of 1873, entitled 'An act to amend section 1 of chapter 760 of the Laws of 1870, in reference to acquiring title to real estate for burial purposes,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 87 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Kennaday	Scudder
Badger	Daly	Kirk	Seward
Barkley	Decker	Krack	Shattuck
Beach	Edson	Lawrence	Sherman
Beardsley	Ely	Lawson	Sherwood
Bennett	Farrar	Lillybridge	Shiel

Berry	Faulkner	Lincoln	Slingerland
Bishop	Fay	Mackin	Speaker
Bordwell	Friend	McGowan	Stauf
Broas	Gallagher	McGroarty	Stephens
Brogan	Gedney	Merwin	Struble
Brown	Green	J. W. Miller	Talmage
Burtis	Griffin	O'Keefe	W. F. Taylor
Calkins	Hammond	Peck	Tewksbury
T. C. Campbell	Hanrahan	Petty	Tremain
T. J. Campbell	Hess	Pope	Wellington
Christopher	Hogan	Prince	Wenzel
Clark	Holmes	Ransom	West
Coffey	Houghton	Rich	Whitmore
Cole	Hussey	Russell	Willis
Comstock	W. A. Johnson	Schieffelin	Worth
Costigan	Keenan	Schuyler	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to habitual drunkards, vagrants and prostitutes in the city of Buffalo," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 79 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Daggett	Keenan	Scheiffelin
Barkley	Decker	Kennaday	Schuyler
Barrow	Edson	Kirk	Shattuck
Beardsley	Ely	Lawson	Sherman
Benedict	Farrar	Lillybridge	Sherwood
Berry	Faulkner	Lincoln	Shiel
Bishop	Fay	Mackin	Smith
Bordwell	Friend	McAfee	Speaker
Braman	Gallagher	McGowan	Stacy
Broas	Gedney	McGroarty	Stauf
Burtis	Green	Merwin	Stephens
Calkins	Griffin	J. W. Miller	Struble
T. C. Campbell	Hammond	O'Keefe	Tremain
T. J. Campbell	Hanrahan	Page	Vedder
Christopher	Hauschel	Petty	Wenzel
Clark	Hess	Pierson	West
Coffey	Hinokley	Pope	Whitmore
Cole	Hogan	Ransom	Willis
Comstock	Holmes	Rich	Worth
Costigan	Husted	Russell	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act in relation to parsonages in certain cases," was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 81 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Keenan	Schenck
Badger	Daly	Kennaday	Schieffelin
Barkley	Dessar	Kirk	Schuyler
Barrow	Edson	Lawrence	Scudder
Beach	Ely	Lewis	Seward
Benedict	Farrar	Lillybridge	Shattuck
Bennett	Faulkner	Lincoln	Sherman
Berry	Fish	Mackin	Sherwood
Bordwell	Friend	McAfee	Speaker
Braman	Gallagher	McGowan	Stacy
Broas	Green	Merwin	Stauf
Brogan	Griffin	J. W. Miller	Struble
Burtis	Hauschel	Oakley	Talmage
Calkins	Hess	Page	W. F. Taylor
T. C. Campbell	Hinckley	Peck	Tremain
T. J. Campbell	Hogan	Petty	Wenzel
Christopher	Holmes	Pierson	West
Clark	Houghton	Prince	Whitmore
Cleary	Husted	Ransom	Willis
Cole	W. A. Johnson	Rich	Worth
Comstock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act supplemental to chapter 550 of the Laws of 1873, entitled 'An act to extend the time for the completion of the Boston, Hartford and Erie railroad, by the New York and New England Railroad Company,'" was read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Decker	Kennaday	Reilly
Badger	Dessar	Kirk	Russell
Barkley	Edson	Lawson	Schenck
Barrow	Ely	Lewis	Schuyler
Beach	Farrar	Lillybridge	Scudder
Beardsley	Faulkner	Lincoln	Seward
Benedict	Fish	Mackin	Sherman
Berry	Friend	McAfee	Shiel
Bishop	Gallagher	McGowan	Slingerland

Braman	Green	McGroarty	Smith
Broas	Griffin	Merwin	Speaker
Burtis	Hammond	J. W. Miller	Stauf
Calkins	Hanrahan	Muller	Stephens
T. C. Campbell	Hauschel	Oakley	Talmage
T. J. Campbell	Hess	O'Keefe	W. F. Taylor
Christopher	Hinckley	Page	Tremain
Clark	Hogan	Peck]	Vedder
Cleary	Holmes	Petty	Wellington
Cole	Houghton	Pierson	Wenzel
Comstock	Hussey	Pope	West
Costigan	Husted	Prince	Willis
Daggett	W. A. Johnson	Ransom	Worth
Daly			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to provide for the payment of services rendered in the opening and laying out of streets, avenues and public places in the city of New York," being announced for a third reading,

On motion of Mr. McGowan, and by unanimous consent, said bill was amended as follows:

Page 2, section 3, line 12, engrossed bill, insert after the word "shall" the word "hereafter."

Amend the title by inserting after the word "streets" the word "and," and strike out after the word "avenues" the words "and public places."

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 89 }
{ NOES 00 }

Those who voted in the affirmative, were

Alvord	Costigan	Keenan	Prince
Badger	Daggett	Kennaday	Ransom
Barrow	Daly	Kirk	Reilly
Beach	Decker	Krack	Russell
Beardsley	Edson	Kshinka	Schenck
Benedict	Ely	Lawson	Schuyler
Bennett	Farrar	Lillybridge	Souder
Berry	Faulkner	Lincoln	Shattuck
Bishop	Fish	Mackin	Sherman
Bordwell	Friend	McAfee	Sherwood
Braman	Gallagher	McGowan	Slingerland
Broas	Green	McGroarty	Speaker
Brogan	Griffin	Merwin	Stauf
Burtis	Hanrahan	J. W. Miller	Stephens
Calkins	Hauschel	Muller	Talmage
T. C. Campbell	Hess	Oakley	G. Taylor
T. J. Campbell	Hinckley	O'Keefe	W. F. Taylor

Christopher	Hogan	Page	Vedder
Clark	Holmes	Peck	Wenzel
Cleary	Hussey	Petty	West
Coffey	Husted	Pierson	Willis
Cole	W. A. Johnson	Pope	Worth
Cooke			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill entitled "An act to amend an act entitled 'An act to amend, consolidate and reduce to one act the various acts relative to the common schools of the city of New York,' passed July 3, 1851," being announced for a third reading,

On motion of Mr. Burtis, and by unanimous consent, said bill was amended as follows:

Section 1, engrossed bill, strike out from the word "children," in line 18, down to and including the words "an act to," and insert in lieu thereof the words "the school of the St. Vincent de Paul Orphan Asylum, at present located at No. 215 West Thirty-ninth street, in the city of New York, the schools organized under the act entitled 'An act to.'"

Page 2, line 12, same section, strike out all after the word "act," down to and including the word "thereof," in line 13.

Change the word "acts" to "act," in line 16.

Said bill, as amended, was then read a third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths of said members being present.

{ AYES 68 }
{ NOES 24 }

Those who voted in the affirmative, were

Alvord	Coffey	Kennaday	Reilly
Badger	Cooke	Kirk	Rich
Barkley	Costigan	Krack	Roscoe
Beardsley	Daly	Kshinka	Schenck
Benedict	Davis	Lawson	Schuyler
Bennett	Dessar	Lewis	Seward
Berry	Edson	Mackin	Sherman
Braman	Ely	McGowan	Shiel
Broas	Farrar	McGroarty	Smith
Brogan	Faulkner	Merwin	Stauf
Burtis	Gallagher	Muller	Stephens
Calkins	Hammond	Oakley	Talmage
T. C. Campbell	Hanrahan	O'Keefe	G. Taylor
T. J. Campbell	Hauschel	Page	Vedder
Christopher	Hess	Petty	Wenzel
Clark	Holmes	Pierson	West
Cleary	Keenan	Ransom	Worth

Those who voted in the negative, were

Barrow	Green	Lincoln	Sherwood
Bishop	Griffin	Peck	Slingerland

Comstock	Hinckley	Pope	W. F. Taylor
Daggett	Houghton	Prince	Tewksbury
Decker	W. A. Johnson	Russell	Whitmore
Gedney	Law	Schieffelin	Willis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. McGroarty called from the table the report of the sub-committee of the whole, in favor of the passage of the bills entitled as follows:

"An act to amend an act entitled 'An act to improve and regulate the use of the Fourth avenue in the city of New York.'" With the following amendments:

Insert at the commencement of first section the following:

"SECTION 1. Section 1 of chapter 702 of the Laws of 1872, entitled 'An act to improve and regulate the use of the Fourth avenue, in the city of New York,' is hereby amended so as to read as follows."

Amend the title so as to read "An act to amend chapter 702 of the Laws of 1872, entitled 'An act to improve and regulate the use of the Fourth avenue, in the city of New York.'"

"An act to confirm the title of the Associate Congregation of Bovina to its real and personal estate."

"An act to provide means for the establishment and equipment of the building erected on that portion of the Central park formerly known as Manhattan square, in the city of New York, under the provisions of chapter 290, Laws of 1871, for the purposes of a museum of natural history."

"An act to provide for a uniform system of paving and repaving of the streets, avenues and public places of the city of New York." With the following amendments:

Insert in line 1 of section 3, after the word "incurred," the words "for repavement."

"An act to make further provision for the payment of further expenses of the local government of the city of New York."

"An act in relation to the Croton aqueduct of the city of New York."

"An act in relation to the care, custody and management of the water-works of the city of Rochester, and to regulate the collection of water rents in said city."

"An act to amend chapter 385 of the Laws of 1871, entitled 'An act to establish a receiver of taxes, and to authorize the sale of lands for non-payment of taxes and for the collection of unpaid taxes in the town of Newtown, Queens county.'" With the following amendments:

Insert the following as section 11: "§ 11. Nothing in this act contained shall be so construed as to affect the fees of the present county treasurer."

Change section eleven to section twelve, and section twelve to section thirteen.

"An act to confirm, reduce and levy a certain assessment for improving Morton street in the city of Albany."

"An act to amend section 1 of title 6 of chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' passed February 28, 1874." With the following amendments:

Strike out in lines 3 and 4 of section 1, the words "passed February 28, 1874, and also strike out all of section 1 after the word "hereby," in line 4, and insert in lieu thereof the word "repealed."

Amend the title so as to read "An act to repeal section 1 of title 6 of

chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina.' "

"An act to authorize the common council of the city of Buffalo to order to be assessed and to cause to be raised by local assessment, the amount of the expenses incurred in rebuilding the westerly end of the sewer in Breckenridge street, in said city, upon and from the lands benefited thereby."

"An act authorizing the city of Schenectady to raise money for school purposes." With the following amendments:

Strike out in line 2 of section 4 the word "a," and make the word "building," in the same line, "buildings."

"An act to confirm the proceedings of supervisors and justices of the peace of the several towns in the county of Kings, relating to town sealers."

"An act further to amend chapter 229 of the Laws of 1870, entitled 'An act to organize and establish a police for the city of Schenectady.' "

"An act to authorize the board of trustees of the village of Athens, in the county of Greene, to permit gas-pipes to be laid in the streets of said village."

"An act to further amend chapter 321 of the Laws of 1871, entitled 'An act to amend and consolidate the several acts relating to the preservation of moose, wild deer, birds and fish.' "

"An act to amend chapter 21 of the Laws of 1855, entitled 'An act in relation to non-resident highway taxes upon certain lands in Essex county.' "

"An act to condense and amend the several acts entitled or relating to an act in relation to the sale of bottles used by the manufacturers of mineral waters and others, passed March, 1847." With the following amendments:

Strike out in section 2 all after the word "misdemeanor," in line 12, down to and including the word "aggrieved," in line 16, same section. Insert after the words "sum of," in line 17, same section, the words "not exceeding."

Strike out in section 3 all after the word "beverage," in line 7, down to and including the word "respectively," in line 10.

Same section, after the word "fine," in line 31, strike out the words "or penalty or both."

Amend the title so as to read, "An act to protect the owners of bottles, boxes, baskets, casks and syphons used in the sale of soda waters, mineral waters, porter, ale, cider, ginger ale, small beer, lager beer, white beer, or other similar beverages."

Senate, "An act to prohibit the throwing of cinders, ashes, refuse or garbage into the waters of Long Island sound, and into the bays and harbors opening into the same."

"An act to change the commissioners for the construction of a bridge across the Hudson river at or near the mouth of North creek, in Warren county."

"An act authorizing the city of Buffalo to appropriate the unexpended proceeds of certain bonds of said city, issued in pursuance of the authority contained in chapter 240 of the Laws of 1872."

Senate, "An act to confer additional powers on the common council of the city of Cohoes."

"An act to open and extend Morrell street, in the city of Brooklyn, from Flushing avenue to Broadway, and to open and extend Lewis ave-

nue in said city from Floyd street to Broadway." With the following amendments:

Insert at the commencement of section 1 the words "The common council of the city of Brooklyn is hereby authorized and empowered to lay out, open and continue."

Strike out in lines 1 and 2 of same section the words "is hereby laid out and continued." Insert after the word "avenue," in line 9 of same section, the word "and," and amend section 2 by striking out the words "is hereby laid out and continued," and make said section part of section 1, and change subsequent sections to correspond.

"An act to amend an act to provide for the increased facilities of the fire department of the town of New Lots, passed May 21, 1874." With the following amendments:

Strike out in lines 3 and 4 of section 1 the words "passed April 24, 1874," and insert after the word "follows," in line 5, "section 1."

Strike out in line 6 of same section the words "sixth day of April," and insert the words "first Tuesday of May."

Strike out in line 9 of same section the words "sixth day of April," and insert the words "first Tuesday of May."

Strike out in line 10 of same section the word "day" and insert the word "Tuesday."

Amend the title so as to read "An act to amend chapter 529 of the Laws of 1874, entitled 'An act to provide for the increased facilities of the fire department of the town of New Lots.'"

"An act to extend the distribution of Croton water through the city of New York, including the two new wards, and to lay the necessary mains therefor, and to deliver it at higher elevation." With the following amendment:

Amend section 4 so as to read as follows:

"§ 4. The faith of the city of New York and the revenues thereof are hereby pledged for the payment of the interest of said bonds or stocks, and the redemption of the principal of said debt hereby created, and the bonds authorized to be issued under this act."

Which report was agreed to, and said bills severally ordered engrossed and to a third reading.

Mr. McGroarty, from the sub-committee of the whole, to which was referred the bill entitled "An act to change the name of the village of Sandy Hill to that of Hudson Falls," reported in favor of the passage of the same.

Mr. Alvord moved to recommit said bill to the committee of the whole.

Debate was had thereon, when

By unanimous consent, said bill was laid on the table for the present.

The hour of 2 o'clock having arrived,

By unanimous consent, the session was extended for the purpose of considering the following report:

Pursuant to a resolution adopted April 8, the Speaker and Clerk submitted the following list of bills as referable to the sub-committee of the whole, and recommend the adoption of the following resolution:

Resolved, That there be referred to the sub-committee of the whole the bills entitled as follows:

"An act to provide for the payment for the use and occupation of armories and drill rooms in the city and county of New York."

"An act relating to lands in the Old Military Tract sold by the State Engineer and Surveyor."

"An act to amend chapter 42 of the Laws of 1872, entitled 'An act to authorize the election of a police justice in and for the village of Flushing, Queens county, and to prescribe his duties and compensation, and regulating charges in criminal proceedings in said village.'"

"An act to enable the mayor of the city of Albany to convey certain lands and premises on the requisition of the board of public instruction of said city."

"An act to amend an act entitled 'An act to create a board of public instruction in the city of Albany, to establish free schools therein, and amendatory of the several acts relating to the district schools in said city,' passed April 7, 1866."

"An act to abandon the further use, by the people of the State of New York, of the buildings, lands and premises in the county of Albany used as a public arsenal, and to convey said buildings, lands and premises to the city of Albany."

"An act to consolidate the Albany City Dispensary with the Albany City Homœopathic Hospital."

"An act authorizing the Land Commissioners to deed to the city of Binghamton, a portion of the Chenango canal for street purposes, also to empower said city to recover possession of the land deeded."

"An act to authorize the filling of the Chenango canal extension at the crossing of Robinson and Eldridge streets in the city of Binghamton."

"An act relating to armorics in the city of New York."

"An act to amend section 118 of article 8 of chapter 2, title 4, part 3 of the Revised Statutes, in relation to the duties of justices of the peace in actions commenced before them in which they are shown to be material witnesses."

"An act to authorize the county of Kings to purchase from the State of New York the State arsenal, in the city of Brooklyn, as an armory, and to provide for the sale of the same by the State."

"An act to give effect to a deed of assignment made by the Washington Iron Works to James Bigler."

"An act to amend chapter 546 of the Laws of 1872, entitled 'An act to incorporate the Mechanicville Bridge Company for the purpose of constructing a bridge over the Hudson river, between the village of Mechanicville and the town of Schaghticoke.'"

"An act to amend chapter 219 of the Laws of 1871, entitled 'An act to provide redress for words imputing unchastity to a female,' passed March 29, 1871."

"An act to amend chapter 825 of the Laws of 1873, entitled 'An act to authorize the laying of rails and to run cars thereon for the transportation of passengers in certain streets and avenues in the upper part of the city of New York.'"

"An act establishing and declaring the use of the dock and pier at the ferry landing on the easterly side of Front street, between Canal and Water streets, in the village of Edgewater, Richmond county."

"An act relating to the repavement of streets, avenues and highways in the city of New York heretofore paved with wood or concrete."

"An act in relation to the Inebriates' Home for Kings county, and to require the incorporators thereof to take the constitutional oath of office."

"An act to further amend chapter 450 of the Laws of 1847, entitled

'An act requiring compensation for causing death by wrongful act, neglect or default.'"

Senate, "An act to amend an act entitled 'An act to incorporate the village of Port Richmond, in the county of Richmond,' passed April 24, 1866, and the act amendatory thereof,' passed April 25, 1867, and also to amend chapter 467 of the Laws of 1874, being an act amendatory of said above-mentioned acts."

Senate, "An act to confirm the title of certain persons to real estate questioned by reason of alienage of former owners."

Senate, "An act for the support and maintenance of prisoners confined upon civil process."

Senate, "An act to relieve premises of one person erroneously assessed and taxed in and with the premises of another."

Senate, "An act relative to the incorporation of musical colleges, schools and academies."

The reading of the report being concluded,

The House, at 2 o'clock and 10 minutes, adjourned.

THURSDAY, APRIL 22, 1875.

The House met pursuant to adjournment.

No clergyman present.

The reading of the journal of yesterday was dispensed with.

A message from the Senate was received and read, informing of concurrence in the passage of the bills entitled as follows:

"An act to authorize the city of Elmira to borrow money and issue bonds of the city therefor, in payment of the floating debt of said city."

"An act to fix the salaries of certain State officers."

"An act to amend the charter of the city of Rochester by extending a part of the eastern boundary of said city, from the west line of the Culver road, so called, to the east line thereof."

"An act to amend chapter 290 of Laws of 1870, entitled 'An act to incorporate the village of Oneonta, Otsego county, New York,' passed April 20, 1870."

"An act to authorize the village of Glen's Falls to borrow money and issue bonds for the purpose of increasing its supply of water and extending its water-works."

"An act to provide for the recording of certain decrees in partition suits now remaining on file in the office of the clerk of Onondaga county, and for the alphabetical indexing of certain records of deeds and mortgages in the office of said clerk."

"An act supplementary to act chapter 200 of the Laws of 1874, entitled 'An act to authorize the appraisal and sale of leased fine salt lots on the Onondaga Salt Springs Reservation by the Commissioners of the Land Office,' and authorizing the Commissioners of the Land Office to exchange lands on said reservation."

Ordered, That the Clerk deliver said bills to the Governor.

The Senate returned the bill entitled "An act to provide for the support of government," with a message informing that they assent to the

appointment of a committee of conference on said bill, and have appointed as such committee on the part of the Senate, Messrs. Wood, Selkreg and Jacobs.

Also, the bill entitled "An act to conform the charters of all savings banks, or institutions for savings to a uniformity of powers, rights and liabilities, and to provide for the organization of savings banks, for their supervision and for the administration of their affairs," with a message informing that they assent to the appointment of a committee of conference on said bill, and have appointed as such committee on the part of the Senate, Messrs. Lowery, Wood and Gross.

The Senate returned the bill entitled "An act to amend section 2 of title 4 of chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Portchester,'" with a message informing that they had reconsidered the vote on the final passage of said bill, and passed the same as amended by the Assembly.

Ordered, That the Clerk deliver said bill to the Governor.

A message from the Senate was received and read, informing of concurrence in the amendments of the Assembly to the bill entitled as follows:

"An act to confirm the election of village trustees in certain cases, and to provide for determining by lot their respective terms of office."

Ordered, That the Clerk return said bill to the Senate.

Mr. McGroarty from the sub-committee of the whole, presented a report in writing; which was laid on the table and ordered printed.

(See Doc No. 135.)

The consideration of general orders 581 and 373, being the special order,

By unanimous consent, Mr. McAfee introduced a bill entitled "An act to authorize the reduction of the capital stock of the New York Loan and Indemnity Company in the city of New York, and to change its corporate name," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on banks.

By unanimous consent, Mr. McGroarty introduced a bill entitled "An act to provide for the purchase of a site and the erection of a school-house in school district No. 3 of the town of Flatbush, in the county of Kings," which was read the first time, and by unanimous consent was also read the second time.

By unanimous consent, said bill was ordered printed and to a third reading.

Leave of absence was granted to Messrs. Bowen and Holmes indefinitely.

The privileges of the floor were granted to Messrs. Foote and Patterson.

By unanimous consent, Mr. Cleary introduced a bill entitled "An act to amend an act entitled 'An act to make the office of supervisor in Rensselaer county a salaried officer, and to regulate the compensation of the clerk of the board of supervisors and other officers in said county,' passed April 10, 1857," which was read the first time, and by unanimous consent was also read the second time, and referred to the committee on internal affairs.

Mr. Daly moved to lay the present order of business on the table, for the purpose of taking up orders of business, introduction of bills and reports of committees.

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